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MICHEL DE L'HOSPITAL
AND HIS POLICY

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PREFACE

This account of Michel de l'Hospital and his work, originally written as an academical exercise, may prove of interest to students of sixteenth-century history, and the references to sources in the notes may be valuable for more than bibliographical reasons.

The writer cordially acknowledges the debt he owes to M. Dupré-Lasale, whose studies on the Chancellor prompted much of the present work, and whose kindly personal encouragement inspired its completion.

TO M. DUPRÉ-LASALE

MICHEL DE L'HOSPITAL

I

Two great movements in the current of human civilization are apparent in the sixteenth century. They affect the regions of art and morals, and are respectively known as the Renaissance and the Reformation. Each is in its own way an attempt to free the human thought and conscience from the shackles of mediaevalism and the fetters of formalism. The world seemed to the scholars at the close of the fifteenth century to become suddenly possessed of faculties disregarded in the giant sleep of the Middle Ages[1]. The Renaissance prepared the way for reform, and furnished the latter with some of its sharpest wits and most strenuous promoters. It carried in its humanism the germs of a spirit wider than religious reform, and the early fires of persecution, lighted by an intolerant and ignorant Church, purged society from humanists as well as protestants. For a time the two streams of progress ran side by side, and gained additional force from their union, but divergence came as soon as political powers[2] began to see a method of utilizing either for their own purposes. In Spain the banner of the old faith was unfurled against any change in religion, though the imperialism of Charles V brooked no papal superiority. In

Two movements in thought.

Political deflexion.

[1] 'Mundus resipiscit velut ex altissimo somno expergiscens.' Erasmus, *Ep.* 417.

[2] 'Partout c'est la politique qui décide de la religion : partout s'applique la maxime célèbre : Cuius regio eius religio.' Hanotaux, *Études historiques*, p. 103. (*Contre-révolution religieuse au XVI^e siècle.*)

'Every great religious or spiritual movement is likely, sooner or later, to take a political direction.' Armstrong, *French Wars of Religion.*

Germany Luther at once struck a political note by addressing his manifesto to the restless princes of the empire. In France the religious movement, as soon as it attained adolescence, was drawn into the vortex of political change by the cruel necessities of government, and by the extraordinary economical condition of affairs in the Church.

Intolerance.

Thus the Reform movement in France became above all things political. It also developed a spirit of intolerance against the freedom of thought of the Renaissance no less bitter than that displayed by the Catholics against the leaders of reform. Geneva became as dogmatic as Rome, and Calvin as arbitrary as the Pope. Nowhere does intolerance appear more open or more hideous than in the correspondence of Calvin [1]. On each side religious opponents were given to the flames. Calvin's spirit and system were less human than Luther's; they were more logical. Conclusions were forced to the bitter end; there was no middle ground between grace and reprobation.

Reform desired by Catholics.

There existed a real desire for reform in the bosom of the Catholic Church, but it was late in taking the initiative. When it at last took steps to effect certain salutary changes it found the Protestant Churches, irritated and intolerant, demanding reforms that seemed to the Catholic party to undermine the existence of the most vital spiritual truths. Reverence for the old Church, which was not wanting in the earliest stages of the religious movement, had given place to hostility and a spirit of destruction.

'In France,' says an eminent statesman, 'reform could not possibly be accepted by the state [2].' The Concordat had already done everything that discipline required, and had made Francis as much the head of Gallicanism as

[1] Knowing what man he is he writes of an opponent: 'I could wish him to rot in some ditch if it rested for me to decide. And I assure you, Madame, that if he had not escaped, I would in obedience to the call of duty, have made him pass through the fire.'

[2] Hanotaux, *Histoire du Cardinal de Richelieu*, vol. i, p. 498; also *Études historiques*: 'le pouvoir royal sous Francois I^er,' p. 31.

Henry VIII was to be of the Church in England. This, however, omits every consideration of doctrine, and it was doctrine for which men were prepared to fight and die.

Religion a political fighting ground.

Political leaders made this line of division their standpoint, some from conviction, others from ambition; and royalty, represented by an inconstant and ambitious woman, failed completely to preserve the balance of law and order necessary for the proper conduct of the state. In desperation, the crown had two alternative policies to support its faltering power. It might adopt the fatal device of asking the Pope or the King of Spain to intervene to crush one of the parties: or, it might choose the more patriotic method of working out its own salvation by the skill and wisdom of loyal and impartial advisers. Foremost among such stood Michel de L'Hospital, a splendid example of the new school of humanistic and legal learning. For a time his counsel was listened to, but ambition, revenge, political corruption, and want of judgement in the woman at the head of the government, drove the royal party at last to seek the Spanish aid. Foreign arms were met by foreign arms, and a suicidal contest stained the annals of French history with a record of blood and cruelty, and tales of treachery after the Italian and Spanish manner.

'Le juste milieu.'

Bloodshed and Fanaticism.

The eventful life of the illustrious lawyer furnishes an excellent picture of the public man who exhibits on the political stage the integrity and sincerity of his private life. From childhood to death, his career touches at every point questions and persons of such high interest, that no history of his times is complete without mention of him. History, however, takes him up at the point when he appears at the summit of the legal profession, and takes no account of the interesting life of probation which preceded his final work. His services to literature and to humanity are too considerable to allow the years to pass by unnoticed, in which the grand alloy of his nature was perfecting itself. Not only France, but all civilization, owes much to the man

An important life.

who has claims both on the head and heart of those who consider his life.

Birth.

Michel de L'Hospital was born at Aigueperse, in Auvergne, during the Genoese expedition[1]. The exact date is doubtful, and he never settled it to his satisfaction. The controversy that surged around his personality during his lifetime alternately vilified and ennobled his ancestry. His opponents, without any justification, declared his grandfather to be a Jew[2] of Avignon, and the assertion has been received and repeated by half a score of reputable writers. His descendants in later years, with equal want of documentary evidence, derived their nobility from Charles de L'Hospital, écuyer Seigneur de la Roche, Conseiller du duc de Lorraine. This *Ultima Thule* of the family ancestry was reached by Michel de l'Hospital's great-nephew, Gilbert, when in 1642 he appealed, on the grounds of nobility, against the assessment of the commissioners of the *taille*. His claim for exemption was recognized, and his pedigree accepted, but no proofs justifying the existence and status of Charles de la Roche are to be found among the documents furnished to the crown official. The anxious efforts of pedigree-makers, wishing to prolong the line of ancestry as far as possible beyond the necessary date of 1560, are perhaps responsible for the above, as well as for the possession of the lordship of Belesbat, and the hand of Marguerite du Prat by the nebulous figure of Charles de la Roche[3]. The date attached to this possession is contrary to entries in the inventory of property in Montpensier, and the registers of the du Prat family give no mention of alliance with the L'Hospitals.

Proofs wanted.

[1] Testament.

[2] Beaucaire, a hostile critic, accused L'Hospital of atheism and said, 'Avus eius, natione et religione Iudaeus, totam aetatem Avenione traduxerat.' Seitte, in a thesis publicly read at Montauban 1891, repeats the error. See usher's report, procès-verbal cited Dupré-Lasale, p. 25.

[3] *Biographie universelle*, xxiv, p. 41.

Two official genealogies in the heraldic department of the Bibliothèque nationale, and the list of nobles in the generality of Moulins of 1700, remove all these embellishments, and commence with Jean de L'Hospital, the father of the future Chancellor, a native, in all probability, of L'Hospital et sous-Allanche[1]. The most minute research has been unable to penetrate further, or to furnish an ancestry to Michel de L'Hospital remoter than his father, whose chequered fortunes played an important part in the youth and early manhood of the son. Early established at Murat, in Auvergne, Jean de L'Hospital received a good education, graduating in arts and in medicine, and on the completion of his studies was appointed physician to the retinue of Claire de Gonzague, Countess of Montpensier. His intelligence and industry[2] obtained for him a similar position in the household of her son Charles, Duke of Bourbon, Constable of France, and prince of royal blood[3]. Through marriage with his cousin[4], Bourbon united all the possessions of the different lines of the family, and his wealth enhanced his princely dignity. During the expedition to Genoa, Jean de L'Hospital gained the confidence of the duke, became one of the most influential of his advisers, and succeeded to some of the more honourable and lucrative appointments in the gift of Charles, in his double capacity of Grand Seigneur and Constable[5]. Among these was the Bailiwick of Montpensier, and in connexion with certain duties devolving on this office, he is styled in the register of the municipality of Aigueperse of 1516,

Documents.

Jean de L'Hospital.

Charles of Bourbon.

Jean de L'Hospital receives a title.

[1] Jean de L'Hospital, habitant d'Allanche. Bibliothèque nationale. Brienne, 184, f. 476, nommé Hospitalis, qui est d'Allanche. Evidence of Antoine Charlus. Ibid.

[2] 'De grand esprit et industrie.' Du Haillan, p. 306.

[3] Charles, Duke of Bourbon, son of Gilbert de Montpensier and Claire de Gonzague, was born 1489. For details of his *procès* against the duchess of Angoulême, see Ant. de Laval, *Desseins de professions nobles et publiques*, 1605.

[4] Suzanne, daughter of Peter of Bourbon (died 1503), a descendant of St. Louis on the female side.

Garde des sceaux des montagnes d'Auvergne. Teilhard MSS., 610.

Seigneur de la Roche, the first authoritative mention of his territorial dignity [1].

Auvergne. The Château de la Roche, which was in all probability the birthplace of Michel de L'Hospital, stands on one of those rocky eminences common to the volcanic country of the Puy-de-Dôme region. Here Jean de L'Hospital was living in 1522 with his family of three sons and two daughters, of whom Michel was the eldest, when his career of honourable prosperity was marred by the political cloud, which enveloped Bourbon and his followers.

This haughty prince, whose brilliant crime and tragic end form an important chapter in French history, and the theme of poet and dramatist [2], distinguished himself in the Bourbon's splendour. field at Agnadello and Marignan. His splendid appearance at the Field of the Cloth of Gold dulled the glory of Francis, and drew from Henry VIII a sinister expression of his method of treating English nobles of like audacity.

Louise of Savoy. The jealousy of Francis, once aroused, was fanned by the malignant passion of Louise of Savoy into a feeling of political insecurity; she was of Bourbon blood, hostile to the protégé of Anne of France, and covetous of Charles's Bourbon's loyalty. estates. When in 1521 the emperor prepared to invade France through Picardy, Bourbon raised, at his own expense, 800 horse and 6,000 foot, and flew to the royal standard only to find the military dominion of France divided among four nobles, and himself excluded from all share [3]. His special charge and honour, the vanguard, was given to the Duc d'Alençon. Deeply wounded in his pride, his feelings of resentment went further than justice Unwisely alienated. permitted, and he left the camp for his home [4]. The king had dealt a fatal blow to his loyalty. Shortly after reaching home, Charles's wife, Suzanne, who brought the

[1] Dom. Coll. MSS. Bib. de Clermont, no. 45.
[2] Byron, 'The Deformed Transformed.'
[3] Du Bellay.
[4] *Archives curieuses*: 'Cimber et Danjou,' vol. i.

Bourbon inheritance to the Montpensier family, died. Her cousin, Louise of Savoy, with the aid of her notorious chancellor, du Prat, gave a legal turn to her avaricious persecution by demanding, as nearest of kin[1], the lands and possessions of the defunct duchess, to which Bourbon could show sound and legitimate titles of more than one description[2]. The Salic law, which applied to all branches of the royal family, would bar Louise from the appanage of the house of Bourbon. The unrelenting queen-mother brought the case before the Parliament of Paris, but not till she had made overtures of marriage to the duke. The shameful proposals were treated with scorn[3], and the great case dragged its wearisome length before the law-courts for a whole year without any definite decision being arrived at[4]. Apologists for the duke make the case end in a verdict of sequestration of the heritage in question. If this were so, it would be simple to understand the despair of the Constable, deprived by such a decree of wealth, title, dignity, even to the loss of his official emoluments. The only effect of such treatment on such a man must be the kindling of the brand of war, the firing anew of the embers of feudal strife. But though the registers of the parliament, kept with scrupulous exactness, give no trace of this extraordinary sentence, which moreover was never carried out, there can be little doubt that some such decision was expected by the duke, who was conscious of his right, and smarting under the injustice, was forced into the arms of his country's enemies[5]. From this time he becomes 'Bourbon the Rover,' exiled from his country, esteemed by the emperor, loved by his soldiers, and perishing as the leader of the Sack of Rome.

The 'Procès de Bourbon.'

Bourbon's treason.

Exile and death.

The apologists of Jean de L'Hospital have endeavoured

[1] Grand-daughter of Peter of Bourbon.
[2] 'Donataire de sa femme; chef de la maison de Bourbon.'
[3] 'Never will I marry a shameless woman.'
[4] Aug. 2, 1522—Aug. 6, 1523.
[5] *Archives curieuses*, 'Procès de Charles, duc de Bourbon,' vol. i.

L'Hospital's father shares the duke's flight.

to whitewash his complicity in the treason of the Constable. There is nothing to show that he used his influence as adviser to deter the Constable from his intention, and he must, as physician, be held responsible for the fictitious or doubtful bulletins of the Constable's illness [1], under cover of which the latter avoided Francis's summons to Lyons, and gained the strong castle of Chantelle.

During the *sauve qui peut* from Herment, Jean de L'Hospital was at the Constable's elbow actively aiding in his escape. He dictated a letter to the Chancellor of Bourbonnais [2], intending to throw dust in the eyes of the king. Then when the hue and cry grew close and the situation became too dangerous, master and physician parted company, the former to go on his quest perilous through Franche-Comté, the latter escaping by way of Pamiers into Spain. Hardly had he left his house when the tipstaff arrived to arrest him. His brother George was taken at Toulouse, and in spite of his pleading privilege of clergy was not released till 1526, by which time Francis's rigour had modified under the compulsion of a Spanish prison.

Is condemned to death.

Jean de L'Hospital, with a score of those who followed the Constable out of the country, was condemned to death for treason and contumacy [3], and his goods confiscated; the trumpeter, town-crier, and clerk of the peace accompanied the crown officer to the market-place of Aigueperse, and with loud voice proclaimed him traitor and outlaw, forfeit of goods and of life. The usher's cry sounded the knell of a shattered reputation.

Michel de l'Hospital.

Michel de l'Hospital was at the time of his father's escape studying law at Toulouse [4]. The Crown in its

[1] Procès de Bourbon, 'Interrogation de Saint-Bonnet.'
[2] 'Déposition de Henri Arnauld.'
[3] Aug. 13, 1524: 'Enfin les procès instruits contre eux, ils furent tous condamnez à mort par un seul arrest donné.' Procès de Bourbon, *Archives curieuses*, vol. i.
[4] Testament.

irritation and eager search could not pass him over, and as the son and nephew of traitors he was arrested under suspicion of knowledge of their plans. Of his examination and release from prison by the king's order nothing is known but the short reference in his will.

When this first rude awakening to a share in public life surprised Michel de L'Hospital he was diligently laying the foundation of scholarship, which became a delight to him and a solace from the cares of office. He was making a first acquaintance with the newer methods of legal study in the companionship, if not under the guidance, of Jean de Boysonné, who lectured in civil law in the University of Toulouse[1] in the earlier part of the sixteenth century. His tastes and ability gained for him here[2], as later at Padua, the friendship of companions[3] destined, in various ways, to fulfil a striking part in history. Among these were Bunel (whose relations with L'Hospital will be renewed at Padua), Voulté[4], and Dolet[5], in whose breast burned the political heresy which impelled him to conflict with the Parliament of Paris and to his doom. Other members of the knot of thinkers at Toulouse came later into collision with the rigid forces of intolerance and tyrannous authority. Cadurce[6], a licentiate, lecturer in law of the University, was burned alive; Matthew Pac, forced to fly for his life; and Boysonné[7], though at heart a sincere Catholic, was summoned, fined, and forced to the humiliation of a public abjuration of his teaching. He travelled into Italy, visited Venice and Padua, where he received tidings of L'Hospital and his work. In a letter to Guil-

The scholars at Toulouse.

Mediaevalism *v.* Renaissance.

[1] '*L'Université de Toulouse au xvii^e siècle.*' Jourdain.
[2] In his eighteenth year.
[3] 'Illum
Iam pridem nosco, cum discit iura Tolosae.' Boysonné.
[4] Jean Faciot, born at Vandy-sur-Aisne, 1510.
[5] Étienne Dolet, born at Orleans, 1509.
[6] Jean de Cadurce. Grand Martyrologe, Geneva, 1608, fol. 996.
[7] 'Ioannis de Boysonné antecessoris Tolosani et aliorum epistolae mutuae.' MSS. Bibliothèque de Toulouse.

laume Scève, the celebrated lawyer, written in 1544, he writes in warm terms of recollection of L'Hospital's youthful work. 'He showed no disinclination to literary study at any time, but from the very first ever delighted in it[1].' Later, he dedicated an epistle to L'Hospital claiming his protection and recalling memories of the old days at Tolosa.

Michel de L'Hospital's ability.

Étienne Dolet couples Boysonné's name with that of L'Hospital, Scève, and other eminent jurists, fighting side by side with Melanchthon, Linacre, More, Vives, and Budé in the ranks of the new learning against the barbarism of the age. The testimony of this humanist to the talents of his contemporary is valuable in corroborating the early aptitude for study of the future chancellor.

According to Boysonné, Michel de L'Hospital followed Cardinal Grammont into Spain, but L'Hospital is silent on this matter in his Testament, and places his first meeting with his father in Italy. Had he gone to Spain, he would most likely have met his father in the retinue of Bourbon, who went to that country after Pavia to obtain pardon for his own defection and that of his followers by the treaty of Madrid[2]. Restitution of forfeited possessions was included in the treaty, and Jean de L'Hospital received back his estate of la Roche, erected into a *châtellenie*, with the addition of rights of justice over two villages[3] and the lordship of la Tour en Bussière. The anger of the country, and the consequent rupture of the treaty, prevented the duke's physician from reaping the enjoyment of his

Pardon of Jean de L'Hospital.

[1] 'Qui non solum a studiis humanitatis nulla aetate abhorruit sed etiam illis apprime semper est delectatus.' Boysonné.

[2] '. . . déclarant nulles toutes procédures, sentences, donations, incorporations et autres actes qui, contre eux ou leurs héritiers, pourraient avoir été faites . . . entière absolution et abolition . . . et tous les autres amis, alliés, serviteurs et adhérans du dit Seigneur de Bourbon soient en leur liberté de se tenir au dit royaume de France ou de vivre d'iceluy et d'aller et venir dedans et dehors iceluy à leur volonté, etc.' Treaty of Madrid.

[3] Beus and Croizet. Acte signé à Saragosse, mars 5, 1526.

master's liberality. He returned to Italy with Bourbon to effect the reduction of the Duchy of Milan, was nominated general of the finances of the duchy, and was at Milan with his son when the city was blockaded by Francis and his Italian allies in 1526. Milan.

The young man, full of literary ardour and anxious to continue his studies, found little chance of effecting his purpose under siege conditions at Milan. His father shared in his desire [1], and a few graphic lines in the Testament show us the young student in disguise, traversing the lines of the besiegers, and reaching Padua in the company and dress of some muleteers. He had crowded many various and exciting episodes into a few years, had been thrust into positions of difficulty and danger—not by his own act or seeking, and showed no taste for the life of chicane and violence in court or camp. His tastes were formed on other lines, and he longed for a deeper draught from the fountain of learning than he had hitherto been able to indulge in. Study in Italy. Escape in disguise [2].

There would be nothing extraordinary in presuming that L'Hospital came to Italy with the distinct idea of continuing his studies at one of the Italian universities. The lamp of learning had here for many years [3] cast a brilliant light on portions of the world of intelligence still dark in other countries. In addition to the sense of Art. The Renaissance in Italy.

[1] 'Ne voulant pas qu'il perdît son temps.' Testament.

[2] Papadopoli makes a curious error in his description, writing *mulieres*. 'Confirmaturque tum ex albis Provincialium consiliariorum Patavii tum ex inscriptionibus a Salomonio collectis, in quibus bis an. 1523 et sequenti legitur a consiliis eius nationis M. Hospitalius Arvernus. Natus est enim in Arvernia patre quidem medico Caroli Borboni ac si credendum Frehero (*Vit. vir. illustr.*) quem recipit Teisserus avo Iudaeo Avenionensi. Patre Borbonium exulem in Italiam secuto Michaelem furtim eodem asportant mulieres (*sic*). Eum doceri pater in Italia curavit imbuique severioribus disciplinis nam politiores Tolosae didicit, habuitque in Italia praeceptorem Graecum, qui adolescentem ad organum Aristotelis plena manu duxit.' Papadopolis, tom. II, lib. i. cap. xxiii, p. 76.

[3] The Jurist Martinus taught 1169. Rashdall, *Hist. of the Universities in the Middle Ages*.

artistic proportion and beauty, which found its exponents in such great names as Raphael, Cellini, Angelo, Italy had
Letters. long excelled in literature, and brooked no rival. But the
Law. glory of the schools of Italy lay in the attention paid to the study of Roman law. The tradition of legal teaching existed in Bologna before the establishment of a university, and the multiplicity of small states with their free constitutions, diverse interests, and jealousy of interference tended to promote the study of civil law.

'Commune Vinculum.' All these studies reacted on one another; the elegance of the fine arts gave grace to scholarly studies. Politien, who would have earned fame by his poetry, wrote a learned and deep commentary on the Pandects. Tasso, before the production of his great work, sustained with honour a discussion on various points of the civil law. The Universities of Pisa, Modena, and Bologna were in the first
Padua. rank, and shone in various ways. Padua, derived from Bologna[1], 'matre filia pulchrior,' combined special excellencies hardly to be found elsewhere in one university. Founded by Frederick II, in the early part of the thirteenth century, it surpassed its parent university in everything but age. The influx of strangers from beyond the Alps
Assisted by Venice. helped to swell its numbers, and under Venetian guardianship it reached the summit of its glory in the fifteenth and sixteenth centuries. It has been called the Quartier Latin of Venice[2]. Among the strangers who flocked to Padua from France, Germany, and England were Étienne Dolet,
Alumni. who arrived a year after L'Hospital[3], Erasmus, and Reginald Pole, the future Cardinal. Guicciardini and Machiavelli[4] obtained scholarship at Padua, and Ariosto had just produced his *magnum opus* within its walls.

L'Hospital's literary tastes prompted him to congenial

[1] 'The reputed founder.' Rashdall.
[2] Renan.
[3] Étienne Dolet. *Christie*, p. 18
[4] This is doubtful. I cannot find the reference in Papadopolis or in Facciolati. Dufey I. 64 is the authority for the statement.

studies, but his father's wishes and advice attached him to the lectures of the legal professors. These were all rabid Bartolists, avowed enemies of the new method which Alciati strove to introduce. L'Hospital turned from them with relief to the lessons of Lampridius and Bonanici, who undertook to open the courses in 'literae humaniores' which had been suspended for some little time.

The poet studies Law. Bartolus.

For purposes of organization, the students were arranged in nations, twenty-two in number, each presided over by a *consiliarius*, elected by the students, who were again cross-divided into arts and law pupils. Venice appointed three delegates from the Senate to watch over the affairs of the university, and this gave a certain advantage to the members of the French nation owing to the close and friendly relations of France with the Venetian state, and the presence of the French Ambassadors near the university. Lazare de Baif, about 1530, received into his house Pierre Bunel [1], mentioned above as a contemporary of L'Hospital and Dolet at Toulouse, and translated Thucydides to him. Bunel's ability and good qualities made him the centre of a circle of French students, among whom were Émile Perrot, Bartholomew Faye, Arnould du Ferrier, and Jacques du Faur, the future lights of the Parliament of Paris, Jean Daffis, afterwards first president of Toulouse, and L'Hospital. The members of the French nation had friends among the students who were not of Gallic origin. L'Hospital is said to have analysed the *Organon* of Aristotle in companionship with the two sons of the Florentine, Philip Strozzi [2]. Pierre Strozzi became later Marshal of France, and his scholarly and philosophic tastes accompanied him to the camp [3]. Bunel, the heart of the little confederation, died

The students of the 'Gallica Natio.'

Greek.

[1] Dupré-Lasale, p. 54.

[2] Boissard, *Thesaurus Virtutis.*

[3] Brantôme, *Les Grands Capitaines français*:—'Pour avoir este reffusé d'un chappeau de cardinal il quicta tout de despit, et prit les armes, non pourtant qu'il continuast jamais les sciences encor qu'il fust à la guerre et n'en escrit, à l'imitation de Jules Caesar et autres

in early manhood; his letters, collected by du Faur, and published in 1551, are interesting as revealing the sentiments of the ardent group of scholars. At a time when Averrhoism had infected the Aristotelianism of Padua, the friends repulsed a negative creed: when Luther's ideas were being promulgated they refused to dissolve their allegiance to the Church: brilliant scholars, they welcomed Alciati's innovations and dreamed of a legal system founded on equity and expressed in literary form. In these conceptions may be discovered the origin of ideas which a generation later formed the programme of the 'Politiques': the burning questions of reform of morals and remedy for the manifest decrepitude of the Church must have engaged their attention. No sign was shown of any desire for religious revolution; the application of the old discipline, careful attention to spiritual duties, and avoidance of worldly ambitions when contrary to religious claims, seemed sufficient. Bunel writes to Castelnau, Bishop of Tarbes, appointed ambassador to Charles V: 'I do not congratulate you; if it is a fine thing to be sent by the king to Caesar, it is still more glorious to be sent as envoy to all the world by Christ.' Calvin could not have expressed a pastor's mission more clearly.

Not pagan nor protestant.

The French students of the early Renaissance welcomed the tide of new learning and expected great things from it. They were men of a more hopeful temperament than their Italian contemporaries, and less infected with their pessimism. They were infinitely more moral. Jerome Savonarola, himself an alumnus of Padua, stirred for a time the consciences of his hearers, but he was only the voice of one crying in the wilderness. Morality, social, personal, and political, was withered and unpopular[1].

Contrast between the French and Italian students.

Want of moral tone

grangz capitaines romains, ce que me dist un jour le bon homme feu M. de Sausae, le reprenant pourtant de quoy il s'amusoit trop à pratiquer ce qu'il lisoit dans les histoires.' Ed. Lalanne, vol. ii, p. 240.

[1] Compare Symonds, *The Revival of Learning*, p. 519.

Avarice and lust prompted the councils of the Papal Court and household; perfidy and disloyalty, open to the four winds of heaven between man and man, ruled in civic assemblies before Machiavelli resolutely shook the foundations of moral law by the publication of the *Prince* [1]. Guicciardini, statesman and minister of the Medicis, in his confidential papers, recommended his nephews to know how to lie, and assured them on the word of an expert that statecraft has nothing to do with a man's conscience. In Italian culture.

It is perhaps a little unfair to detach such statements from their context, but the object in doing so is not so much to condemn the men as to show the existence of ideas. The responsibility for such statements must be shared between the century which nursed the writers, and the writers who so boldly reflected the manners of their times. Ferdinand the Catholic in Spain, Henry Tudor in England, and Louis XI in France, used such means and accepted such theories as seemed best suited to consolidate their power, without scrupling as to the integrity of their actions. The young students at Padua were men who looked for the regeneration of society and the strengthening of government from very different sources. They were true humanists, and had faith in humanity. Causes and symptoms.

The literature of the early Renaissance in France contains a large proportion of earnest patriotic work, from the treatise of Seyssel to the ordinances of L'Hospital; much learning and more vitality. Its faults, in contradistinction to those of Italy, are the faults of a young man, and not those of an old and hardened cynic. Where the *esprit gaulois* runs riot in Rabelais, and in portions of Marot, laughter holding both its sides is audible everywhere. There is a largeness and amplitude in the mirth that carries the reader on till the reaction of pathos makes him feel the underlying humanity, not crushed or strangled, but living Vitality of French Renaissance.

[1] *Revue des Deux Mondes*, Nov. 1873.

and glowing, weeping and smiling, with all the freshness of an April morn. The buoyancy and hope are never absent from the more serious French writers where they are free from invective and pure party writing. In the fascinating biography of Cellini, the shrewd deductions of Machiavelli, or the liquid verses of Ariosto, lies a charm of form and style, absent from the corresponding works of Pallisy, Seyssel [1], and the burlesques of Rabelais, and yet our whole nature is more keenly touched by the latter than by colder excellences of the Italian books.

The moral worth of the men who gathered round Bunel at Padua was as marked as their intellectual ability: their after careers justified the promise. Bunel was elected *consiliarius* of his nation, and L'Hospital was appointed 'extraordinary' professor [2] in the School of Civil Law for the year beginning 1531. The lectures at Padua were so well attended that the professors were unable to lecture to all the students. The courses were therefore doubled [3], the second professor being termed extraordinary, as distinguished from a substitute who lectured in the absence of the professor.

L'Hospital lectures at Padua.

In the university lists L'Hospital is properly described as Burgundus [4]. His friends, Arnould du Ferrier and Bartholomew Faye, who were elected to successive extra-

[1] Claude de Seyssel marks in literature an improvement upon Jean Molinet, the clumsy introducer of the Ciceronian phrase into French prose.

[2] Facciolati, p. 131. *Fasti Gymnasii Patavini*, pt. iii. Facciolati has the entry: 'Schola secunda Iuris Civilis inter extraordinarias.' MDXXXI. 7 kal. Sep., Michael Hospitalis Burgundus. The entry in Facciolati, p. 79 runs: 'Hinc orta nomina scholae Ordinariae et Extraordinariae dicti Ordinarii et Extraordinarii. Cum autem Professores ipsi ordinarii esse vel ordinarie legere dicuntur, id eo spectat, ut distinguantur a substitutis, qui olim in more erant, ne unquam scholae vacarent.'

[3] V. Facciolati, p. 79.

[4] French students are classed under the Provintialis and Burgunda nations in Rotulus et Matricula of 1592. Brugi et Andrich, 1892. The nations in 1592 (*tempus Galileo*) were Germania, Bohemia, Polona, Ungara, Provintialis, Burgunda, Anglica, Ultramarina.

ordinary professorships in 1533, are each styled Gallus[1]. Du Ferrier was afterwards appointed ambassador at the Council of Trent, and at Venice, and Faye rose to be successively councillor and president in the Court of Inquiry.

'Consiliarius Gallicae Nationis.'

L'Hospital's elevation to the professorship of Civil Law was not the only honour bestowed upon him at Padua. His fellow students twice[2] elected him *consiliarius* of his nation, and thus gave him a voice in certain affairs of government in the university. After six years spent at Padua[3], Michel de L'Hospital left behind him the University of Savonarola, Chrysoloras, Bessarion, Lascaris, and Aldus to visit his father at Bologna. He himself makes his visit synchronize with the coronation of Charles V. This event took place in 1530, and Charles revisited Bologna in 1533 to confer with Clement VII. As L'Hospital places his arrival at Bologna towards the close of his six years' residence at Padua, the latter date must be chosen as the time of his visit. This will allow the period of his doctorate at Bologna to be fixed in 1533, a date corroborated by a manuscript list, 'magistrorum doctorum, et alumnorum,' recently discovered at Bologna, containing L'Hospital's name[4].

Bologna.

Doctor in Civil Law.

After the death of the Constable on the walls of Rome, Jean de L'Hospital entered the imperial service, and attracted the favourable notice of his new master. But his heart was in France, and he only awaited the amelioration of Francis's sentiments towards him to return to his own country. His position at Bologna had perhaps something to do with the appointment of his clever son to a seat

[1] 'Arnaldus Ferrerius Gallus cui anno sequenti pridie kal. mai. ad litterarium curriculum explendum suffectus est Bartholomaeus Fayo, Nationis eiusdem.' Facciolati, under date 1533, 14 kal. Sep. 1.

[2] Papadopolis, tome II, lib. i, 'in quibus bis an.' 1523 (*sic*).

[3] 'Ayant demeuré six ans à Padoue.' Testament.

[4] Discovered by M. Casati of Lille. 'Ab hospitali Michael 1530 or 1533?' Dupré-Lasale, 60.

'Auditor' of the Rota.

among the auditors of the Rota at Rome. But a sudden turn in Michel's fortunes prevented him from exercising his functions at the Papal Court. Cardinals Grammont and Tournon came to Bologna to enlarge the diplomatic breach between the Papal and the Spanish Courts. They brought the final settlements deciding the marriage of Catherine de Médicis, the daughter of the sullen-minded Lorenzo of Urbino, with the Duke of Orleans, Francis's second son.

The 'Merchant's daughter.'

Jean de L'Hospital appears to have made himself useful to Cardinal Grammont, and the French diplomacy was successful, though fraught with fatal consequences to the country it was intended to serve. On the flush of the French success Michel de L'Hospital arrived from Padua, and Grammont was not slow to appreciate the talents of the young scholar. He prevailed on him not to go to Rome to take up the duties of auditor, and promised him an office in France, which should lead to honour and fame. The cardinal added the enticing offer of reconciliation of the father with Francis, and renewal of citizenship. The Frenchman was strong in Jean de L'Hospital, he grasped at the new opening in life. Tired of haunting foreign courts, he forsook the Emperor, his son renounced office under the Pope, and both followed the Cardinal to Avignon. Faithful to his promise, Grammont obtained the signature of Francis[1] to an act which assured to the elder l'Hospital the entire benefits of the treaty of Cambrai.

Return to France.

Catherine de Médicis.

On October 23 the court assembled at Marseilles to receive Catherine of Médicis coming from Nice. She entered the town with a magnificent escort furnished by Clement VII and by Alexander of Florence anxious to

[1] The act was signed at Avignon on September 2, 1533, and registered in the Parliament of Paris on December 18 of the same year. It concludes: 'sit signatum supra plicam par le roy, monseigneur le Cardinal de Grammont present, Breton. Lecta publicata et registrata, audito procuratore generali regis, Parisiis, in parlamento, decima octava die decembris anno millesimo quingentesimo trecesimo tertio.' *Archives nationales*, tome XI a, 8612, f. 316 'Ordonnances de François Ier.'

embellish the occasion of a royal alliance in the Medicean family. The benediction ceremony, five days later, was attended by the Pope, and Jean du Bellay, Bishop of Paris, pronounced the wedding discourse. The beauty and richness of the young bride's apparel astounded the ladies of the French court, her jewels[1] surpassed anything previously seen on such an occasion. More than a month was consumed in fêtes and banquets, and Francis behaved with his customary magnificent generosity to the Cardinals and the other notables who accompanied the Pope and the Duchess. But the people and nobles of France did not share the rejoicings; they feared a new war in Italy, and doubted the good faith of the Pope. Catherine's dowry should have included Milan, Genoa, and Naples, and when, owing to the strained relations of Henry of England with the Pope, it no longer appeared that Francis was to receive these three fair prizes, he himself declared coarsely and scornfully that he had taken Catherine de Médicis 'without a rag to her back[2].' Catherine's future chancellor was present at the reception at Marseilles, without suspicion of the part in the kingdom that he was to perform as chancellor to the young girl when queen regent.

French disappointment.

Catherine's character has suffered in a double manner from the circumstances of her life, which were unfortunate, and her manner of using them. The evil effect of her policy has survived her, whatever good she did went with her to the tomb. But her childhood was full of charm and promise, and her character showed much real tenderness and affection. She had been fortunate in her female guardians, Marie Salviati and the Duchess of Camerino, women of sterling good qualities and impeccable virtue.

Catherine's girlhood.

[1] Some of Catherine's jewels are still among the popular sights at the Louvre.

[2] 'Comme toute nue.' La Ferrière, *Letters of Catherine de Médicis*, Introduction, vol. i.

As a wife Catherine was an example of strict propriety, and above reproach.

Italian training.

From Clement VII, however, she had early learned, if she had it not already in her blood, that cold and calculating dissimulation, which presents a mask to all the world, and behind which actions are decided on, not because they are right or wrong, but because they are profitable or unprofitable. As the wife of a minor prince, Catherine might have gained esteem, and probably renown, as a faithful mother and a patroness of the arts; as a queen her faults obtained just that ground on which they could flourish to their greatest disadvantage. Her alliance with the royal house of France, read in the light of subsequent events, portended sorrow and misfortune to the country that sheltered her. The forebodings of the French people at the Italian wedding were only too well justified, the invective of later years kept the dismal prognostications ever in the mind of those who loved her least.

Antagonism of French people.

The death of Grammont[1] early in the following year was a check to the advancement promised to L'Hospital. His father, fearing to venture before Francis, took office under Renée, the sister of Bourbon, married to Anthony, Duke of Lorraine, and L'Hospital went to Paris to try his fortune, pleading in the parliament. History here loses sight of him for three years. At the end of that time he is reported to have gained a solid reputation as a lawyer scholar, but there is no further evidence of his practising at the bar. His next movement depended less upon his forensic powers than upon the brilliant repute which he had so surely established for himself at Padua. This had preceded him to Paris, and perhaps decided him to go there.

L'Hospital 'Avocat.'

Reputation as a scholar.

The fruit of the laborious days spent in Italy, and his diligent cultivation of his talents to the exclusion of less meritorious pleasures, secured him a welcome from his old

[1] He died at Balinas, March 24, 1534. Boissard.

acquaintances of Padua, such as Baïf, high in office at the Palace of Justice, and his fame was augmented by successive arrivals from the Italian seats of learning, full of admiration for the traditions left by him at their universities.

Étienne Dolet, with characteristic warmth, links his name with those of Boysonné, Scève, and Perrot. Jean Voulté, in a piece of Latin verse, in which L'Hospital's name is tortured[1] into every line, praises the young lawyer's pleasant speech, chastened style, noble countenance, and blameless life. Testimony to his merit.

These qualities had gained for L'Hospital an influential protector in the person of Pierre le Filleul, sometime President of the Court of Exchequer, and now Bishop of Aix. At the age of 100 this worthy prelate still discharged the office of Governor of Paris. Born under the shadow of the Puys, in Bourbon territory, he had served the Constable as lieutenant of Languedoc, and his relations with L'Hospital's father induced him to receive the son into his acquaintance: the young man's talents drew from him ready appreciation. Another Auvergnat.

As a man of the Church, Le Filleul was soon able to suggest L'Hospital as a possible son-in-law to the grim Jean Morin, lieutenant-criminal in the Provostship of Paris. This officer had one daughter, and by way of recompense for services performed in his office he had been promised the nomination of councillor in the Parliament of Paris as her dowry. The conjunction seemed Jean Morin's daughter.

[1] Étienne Dolet:

'Lingua dulcius est quid Hospitalis?
Musa castius est quid Hospitalis?
Vultu dignius est nil Hospitalis.
Vita sanctius est quid Hospitalis?
Illo candidius quid Hospitale est?
Hic re et nomine totus Hospitalis,
Tuisne merito ille idem Hospitalis
In caelum usque sonis ubique fertur.'

Ad G. Scevam. Jean Voulté. (Faciot.)

Morin's hesitation.

opportune, and affairs moved towards a happy solution, when Jean Morin, rigid man of duty, found to his alarm that the promising swain was the son of the Constable's physician, and the course of true love was checked till he had breathed his fears and applied for counsel to the Chancellor du Bourg[1]. His letter is a testimony to the reasons put forward above, that L'Hospital owed his advancement more to his scholarship than to his practice at the bar. Morin writes of him, 'que ne avois congneu, sinon par reputation comme d'avoir oy parler de son bon savoir, qui etait tel pour me plus persuader, sans avoir egard aux facultés.' He would not allow the marriage till he had the expression of royal satisfaction from du Bourg. This came at length, and L'Hospital at the same time received from his father the lordship of La Roche. This domain and the nobility accompanying it formed L'Hospital's marriage portion, as a set-off to the office of councillor, given him by his father-in-law. Marie Morin brought no other dowry to her husband[2], who was elected, and took the oaths on August 8, 1537. His personal worth contributed to his admission to the parliament. The councillorship vacant was one of those reserved by statute to a member of the clergy. The parliament, tenacious of its rights, had recently resisted boldly enough the king's wish to remove René Ragueneau, a master of requests, from his office, and to appoint Lazare de Baïf master in his place. Ragueneau had a black record, including condemnation for falsification of documents; personally he was a bad character, but the parliament, jealous of their rights, made his dismissal a question of privilege. Even the king's own nominees in the body judicial withstood their patron's demand, and only the

'Le roy le veult.'

Marriage.

'Le Parlement.'

Fights for privileges.

[1] Letter of Jean Morin to Du Bourg. MSS. Bibl. nat., Coll. Dupuy, 193, 194, f. 27.

[2] 'Uxorem praeter officii titulum nullam praeterea dotem attulisse.' Letter of L'Hospital. MSS. Dupuy, 491, f. 29. La Roche was ceded to L'Hospital's brother for 2,000 crowns in 1546.

strongest expression of displeasure from Francis forced them to accede to his repeated order to admit Baïf to the charge held by Ragueneau. Baif's promotion opened the way to L'Hospital's entry. Some desire to avoid measuring forces again with the irate monarch had no doubt its weight in obtaining the young lawyer's entry, but the parliament graciously veiled any expression of grudging or discontent, and welcomed the new member with words equally honourable to themselves and to him. We enroll, said they, the letters of dispensation of the aforesaid L'Hospital, 'out of consideration for the great expectation that the court has of him, and without regard for further consequences declare him admitted as sworn member[1].'

L'Hospital received with acclamation.

[1] Procès-verbal of installation.

II

The Parliament of Paris.

THE Parliament of Paris, in which L'Hospital was to labour for sixteen years, was at this time the admiration of the other states of Continental Europe. Machiavelli declares France to be in the first rank of well-governed states, and attributes this position to the institution of the parliaments[1], which maintain a high standard of legal tradition, while they voice the popular needs. 'The realm of France is happy and at rest, because the king is restrained by a number of the laws, which produce a feeling of security in the people. He is all powerful over the army and treasury, but in all else he is subject to the empire of the law.'

Not really a restraint on the king.

For once Machiavelli is mistaken, the submission yielded by Louis XII to parliament was an act of grace, founded on no definite contract with the people, and deliberately recalled by his imperious successor. The language of parliament varies with the character and mood of its members and leaders; their greatest power was that of remonstrance. They acknowledge the king to be above the laws, and can only appeal 'to his good will' not to exercise his great powers to the full; 'vous ne devez pas vouloir tout ce que vous pouvez, mais seulement ce qui

[1] 'Machiavelli, qui écrivait vers la fin de ce siècle, parle de ce droit accordé au parlement, non comme d'une introduction nouvelle, mais comme d'une espèce de maxime d'état qui appartenait à la constitution même du gouvernement monarchique de la France.'—'Fragments sur l'origine et l'usage des remontrances.' D'Aguesseau, *Œuvres*, xiii, p. 537. Machiavelli, *Prince*, 19. Discourse on Tit. Liv., disc. I, no. 16. *Anciennes lois françaises*, xii, 275–80, 'on registering the Concordat.'

est en raison bon et équitable, qui n'est autre que justice.' All this is the language of a tutor to a pupil, and was something of the attitude assumed by parliament towards the king. It produced no effect on Francis, who had announced his determination of reigning according to his *bon plaisir*, and forced on his policy of centralization, regardless of opposition. Marino Cavalli[1], writing some time after Machiavelli, considers the king's will to be the moving power in everything, even in the administration of justice, 'for there is no one who dares to obey his conscience and contradict the monarch.' This he vouches for as the result of personal observation, and not from reports of others. Still, the fiction of the supremacy of parliament lived on, and the excellent work of its scholarly members gave it verisimilitude.

Power advisory, not compulsory.

Cavalli.

1546.

The impulse to the study of law in the universities gave a number of extremely able men to the service of the bar, and Francis was wise enough to appreciate their brilliant work, as long as it suited his will and pleasure.

The Estates General were in abeyance, and the royal ordinances, such as that of Villers-Coterets, are lasting monuments to the ability and justice of the parliaments who framed them. As a natural consequence, the members of the Parliament of Paris, individually as well as in the corporate character, obtained very great political power. In the Estates of 1558 the legal body figured as a fourth Estate.

Parliaments doing something of the work of the Estates.

1558.

This important company was a prey to a terrible disorder, which its best efforts were unable to remove. Louis XII, finding himself in low state of finance during the Italian war of 1512, was reduced to the expedient of selling certain offices of finance, and even some of the judicial posts. It was not likely that Francis would refrain from following a precedent which was able to furnish him with ready money. He extended the sale till

Venality of Parliaments.

[1] *Relations des ambassadeurs vénitiens*, Tommaseo, vol. i, p. 269.

it became a veritable abuse, pressing hard upon the incoming judges, and introducing corruption into certain judicial functions. Throughout the century the most potent voices were raised against it with but partial success. Bodin[1], Montaigne[2], and Francis Hotman[3] declaimed against the nefarious traffic, but it had too soon acquired the position of a vested interest to yield to their arguments. No one protested more strongly than L'Hospital against the system with its allied evil of *épices*, although he owed his entry to his wife's dowry, which
1566. was paid in kind. The ordinance of Moulins was the result of his unceasing work, in conjunction with the political theorists, to diminish if not destroy this blot on
Heredity. a fair judicature. The principle of venality, extended by the introduction of the later Paulette, produced an hereditary chamber of legislators, who by a strange irony became the barrier against the encroachments of the monarchy upon the civil liberties[4]. The principle was defended in its early days by writers[5] who had nothing whatever to gain by their efforts, except the triumph of
An opening for the common people to rise. theories which they considered just. 'It afforded an opportunity,' they said, 'for men of the people to rise to higher positions in the state, and so bring new powers and talents to a nobility which was not free from effete parts.' The attempt of the judges to recoup themselves for their initial outlay led to the inevitable result of selling justice. The observant Venetian, cited above, paints a sad picture of the abuses that followed in the train of the venality of offices, and their effect on the administration of justice at the close of Francis's reign.

[1] *La République.* Written after the Civil Wars, published in 1578.
[2] *Essays.*
[3] *Franco-Gallia*, xxi. Translated into French in 1574 by Simon Goulard.
[4] Montesquieu, *Esprit des lois.*
[5] Claude de Seyssel, II, cap. XX, 'La grant monarchie de France composée par missire Claude de Seyssel lors euesque de Marseille et à présent archeuesque de Thurin adressant au roy très crestien Françoys premier de ce nom.' Paris, 1519.

'The King had multiplied offices that he might increase the revenue derived from those who entered upon the duties connected with them. The Parliament of Paris and the Exchequer, composed of presidents, councillors, advocates, notaries, proctors, and pleaders, with their followers, amounted to something like 40,000 men, a little town in itself. A case, when it entered the courts, went on and on till every official had taken his due. An action to recover 1,000 crowns cost the claimant 2,000[1].' One good thing commends itself to Cavalli: if these needy lawyers are keen searchers for money they will at least work for it, and he commends the practice of the French courts in which a belated suitor may, by the offer of an extra crown or so, obtain the judges' consent to prolong the sitting beyond the regular daily closing hour in order to finish the case.

L'Hospital as judge.

L'Hospital took his seat among the eighty councillors of the parliament; his duties were onerous, his pay 200 crowns a year. Seven years of unremitting toil found him a poor man, unable to contribute his portion of the loan from the parliament requested by the king. 'The pittance that I gain from day to day, like an ordinary workman, barely suffices to nourish me and my family, it is far from enriching me. If, in the exercise of my office, I have lived for five years without evincing great eagerness for wealth, it has taken all my activity and labour to provide the ordinary means of subsistence, without thinking of increasing my purse. My witnesses are the Cardinals de Tournon and du Bellay with the President Montholon. They know my public endeavours. My countryman, the honourable secretary Bayard, can tell you everything about my poverty[2].' The clear-cut edges

[1] Marino Cavalli, *Relations des ambassadeurs vénitiens*, vol. i, pp. 263–5. Tommaseo, *Ordonnances*, vol. xv, p. 18. Isambert, *Recueil des anciennes lois françaises*.

[2] MSS. de la Bibliothèque nat., Coll. Dupuy, 491, f. 29.

of truth are apparent in this Latin letter addressed to some unknown cardinal. It is a model of clearness, simplicity, and integrity: it is characteristic. His activity had been phenomenal, and furnished a tradition to the great statesman who followed him. No one could claim greater zeal in the king's service, or more valuable aid to the state. When occupied with the decision of cases, or engaged in drafting laws, he was the first to take his place on the bench, and the last to leave[1]. In winter he sought the palace before daybreak, lighted on his road by his link-boy: the watchman had cried 10 o'clock in the night before he rose to return to his family. Like a vision of Minos he sat fixed to his seat, while others walked the court-yard, eager to exchange the close atmosphere and mental labour of the courts for the fresh air and movement in the vestibule. He was quoted as an example of unswerving assiduity by the president Quelain, and incurred the inevitable odium attaching to such an honour. In defending himself against the charge of wasting public time by writing his letters in verse to those who were well pleased to receive his graceful compositions, he supplies us with evidence of his actions, and every critic of his work, with the exception perhaps of Michelet, has found in him the best witness of his own doings. The sympathetic friend to whom he penned the vindication of his legal service, Jean de Morel[2], Seigneur de Grigny, was more cognizant of his labours and of his lofty ideas than were his jealous detractors. Morel, the pupil of Erasmus, and the tutor of Henry of Angoulême, had the

His diligence.

An example to others.

His poems furnish useful details of his work.

Jean de Morel.

[1] *Ep. Ad Ianum Morellum*, ed. 1825, p. 185 :

'Subsellia primus inivi
Mane viam facibus puero monstrante: recessi
Postremus, decimam quum praeco renuntiat horam.' ll. 12–14.
'... Sed in una sede manebam
Fixus, et immoto prope corpore ...' ll. 17–18.

[2] He was entrusted by Catherine de Médicis with the education of Henry II's natural son, Henry of Angoulême.

faculty of discerning rising literary talents, and the generosity to use his strong influence at Court to promote the advancement of the men whom he admired. To him the rising stars of the Pléiade owed some of their early encouragement, and he brought L'Hospital's verses before the public eye. Sainte-Marthe and the prolific Salmo Macrin shone in this brilliant literary circle under the kindly patronage of Morel. L'Hospital's house was in close proximity to that of the Court favourite's, and the friendliest relations[1] existed between the families. Madame Morel, Antoinette de Loynes, wrote Greek and Latin verses, and her daughters obtained a reputation for scholarship and beauty. To the head of this temple of the Muses L'Hospital committed his defence from the attacks of his ignorant and malicious competitors[2]. Morel accepted the duty, and in good time used his family influence to introduce L'Hospital to the notice of the Princess Marguerite, daughter of Francis I.

A literary coterie.

The complaints against L'Hospital arose, not so much from his severity and outspoken attacks against the glaring abuses of the courts of justice, as from his appealing to a wider public than the parliament. It was more or less a point of privilege. Opportunities were given in the *mercuriales* for reprimanding severely any breach of legal procedure or any unjust decision[3]. But these were privileged occasions in which the majesty of the law, all

Attacks on L'Hospital.

[1] Marie Morin L'Hospital was godmother to Morel's daughter Lucrèce. Register of the parish of Saint-André-des-Arts.

[2] 'Huius culpa rei mea sit scribentis inepte,
Forsitan et nimium properanter: tu quoque partem
Non minimam, Morelle, feres, qui nostra repostis
Carmina scriniolis, ne lucem inclusa tueri
Possent, me contra multum pugnante magistro
Solvis, et in claras educis luminis auras.
Unde tibi video insultus et bella parari
Maxima, dum, Morelle, tuos defendis amores.
Cura sed haec tua sit: tu videris ipse,' &c.
Carm., p. 189 (1825); p. 177 (1732).

[3] Ordonnance de Villers-Cotterets, article 130.

unaided or controlled by outside authority, purged itself from its sins of omission or commission. The members seemed to discover a want of respect for the august body to which they belonged, when a member, not content with the power of haranguing his colleagues, handed them over to the ridicule of a witty court. To diminish the dignity of parliament was to touch its honour, and on the point of honour the members contested L'Hospital's fairness in rendering them ridiculous. They could not deny the accusations of cupidity, they would not refrain from the custom of taking *épices*, but they brought against him the counter-charge of wasting time, due to the public, in the composition of poetic trifles. When time and chance came he smote the griping avarice of the magistrates with a succession of crushing blows; for the present, he replied with a well-reasoned vindication of his refined and polite amusement. He claimed for it a moral value, and contrasted it with the relaxation of too many of his colleagues, and the verses in common circulation. The successful lawyer shows the development of the exemplary traits of character noticeable in the Italian university student.

The judges resent ridicule, and refuse reform.

Anapology 'pro poemate suo.'

'Chaste and honourable, my lines may be read by children; I regret their want of finish, but I have scant time to give to them: such as they are, they represent my playtime, they relieve my toil, and contain nothing to justify the incessant hostility against me [1].'

Dislike of legal bickerings.

L'Hospital had never taken kindly to the routine of the courts [2]. Though physically fitted to stand the strain, and

[1] '... Nil turpe sonat mea pagina, nullum
Tristius, obscurumve in nostro carmine verbum.
Quin etiam nostris pueri fortasse legendis
Proficient ...'
Epistola ad Ianum Morellum, Ebredunaeum, ed. 1732, p. 177.

[2] 'Non ego (si cuicumque alii succedere parti
Posse quidem vobis vel idoneus esse videbor)
Natura quamvis alienas horreo lites
Et cupidus sum nobilis oti et pacis amator.'
Epistola ad Franc. Olivarium, Franciae Cancellarium, ed. 1732, p. 8.

gifted with legal knowledge adequate to his task, he sighed under the constant wrangling of the litigants and the often difficult task of suiting the details of legal practice to his sense of justice. The baits that allured many of his colleagues on the bench, the fat presents that poured in from moneyed suitors, were loathsome to him. Discontented with the method and matter of the law as it stood, he wished to reconstruct the whole web, tired of patching up the rents in one trial after another. During the lifetime of Francis I he utilized part of his vacations in an attempt to simplify the text of Justinian and to extract from the Roman code whatever seemed most likely to suit the large body of customs and Teutonic law prevailing in France. The details of this work are lost; three years, he told Cardinal du Bellay, were required to complete it. Many of his ideas found their way into the best works on Roman law of his period, and students of legal science ever received his ready support [1], though his attempts to renew his task were always frustrated by the important duties that fell to his lot.

Honourable poverty.

A Work on 'Law.'

He grew tired of his Sisyphus labours and weary of the seductive eloquence of some of the advocates, which frequently procured decisions contrary to the facts and the justice of the case. These things were all part of the system that cabined his spirit and crippled the constructive powers that were strong in him. The thought of growing old in the narrow world of the palace, of seeing interest after interest disappear, and nothing remain but the daily round of sordid work engaged in by the older members of the bench, daunted him. He aspired to a more useful and to a wider sphere of labour, a career of diplomatic work—and service such as he had gained a glimpse of on finishing his studies at Bologna. For this cause he used his scholarship and skill in verses to bring himself to the notice of

His poems testify to his dislike of the Courts.

Patrons.

[1] Such as Du Moulin, the compiler of the great work on the customs, extending to upwards of 2,000 pages.

Charles of Lorraine.

the men, who, like Du Bellay and Charles of Lorraine, admired the rhythmical homage[1] and appreciated the good sense underlying the music of the words. The Renaissance was in full blush over the whole sky of French literature; a ready and witty pen was a sceptre disposing of the hearts of kings, princesses, and cardinals. Movements, both in Latin and the vernacular, all unsuspected as to results, were making the Parnassus from which Ronsard looked down upon the school of Marot and his predecessors. Thus it was fortunate for L'Hospital that the amusement of his leisure time should be of such a kind as to aid in his advancement; but his letters were not confined to persons of exalted lineage. Five at least of his colleagues in the parliament were honoured by correspondence with him, and from this source much may be learned of his general attitude towards the courts, and his detestation of everything that savoured of selfishness and injustice in the administration of the law. To one of these, Jacques du Faur[2], the famous epistle against the abuse of legal process is addressed. Du Faur had maintained with L'Hospital the close and friendly relations commenced at Padua. To him L'Hospital could, without fear of being misapprehended, pour forth his invective against the cruel usages of the courts, which kept alive the torches of the Furies, and preserved the punishments of Erebus. The folly of all this pleading was likened to the fable of the horse and the stag. The victorious horse found himself slave to the man who had conquered by his help. L'Hospital grieved over the moral degradation of his countrymen. He preferred the old times when the courts were the open lists, and causes were recorded, not

Legal humanists.

'De lite.'

A moral teacher.

[1] 'Ces hommages poétiques lui valurent la faveur des grands et même des princes, qui de degré en degré le portèrent aux plus hautes dignités.' Boissard.

[2] Abbot of La Chaise-Dieu and Prior of Saint-Orens. He became councillor in the Parliament of Paris, and in 1563 was made Master of Requests in the Council. He was uncle to Gui Du Faur de Pibrac.

by the pen of the judge, but by the sword of the knight. 'At least, in those days, the quarrel was washed out in blood; it did not proceed by treacherous ways and the abuse of mental talent to victories which were shameful. Such wrongs must not sully the French tribunals; Frenchmen are more eager to prey upon one another than to guard their coasts against the enemy. Let them rather, with pure hands, safeguard the commonwealth, which decays with intestine quarrels and flourishes when peace smiles on it.

"Nimirum scopus hic, legumque est ultima finis."

An enemy to luxury.

The same idea of drastic remedy for the luxurious habits of the time appears in an epistle to another legal colleague, Grassin, who shares with Du Faur, Du Drac, and Tiraqueau, the honour of receiving verses from L'Hospital during his career in parliament[1]. The stern moralist looked upon the craving for display of wealth and jewels as unfitting for a manly nation. War is the shrewd counsellor that effects more good in restraining luxury than any reasoned discourse or Oppian law. The theory of war, as a regenerator of the State, finds later a supporter in Bacon, who writes: 'A foreign war is like the heat of exercise, and serveth to keep the body in health; for in a slothful peace both courages will effeminate, and manners corrupt[2].' The reasons and qualifications of the statements are to be sought in the manners of the century.

John du Bellay.

L'Hospital was linked with the friends just named and Bartholomew Faye in the society of John du Bellay,

[1] 'Ergo pace fuit nunquam minus utile bellum,
Plusque libidinibus prodest vis illa regendis,
Quam verba et ratio, quam Cincia et Oppia leges.'
Ad Crassinum, ii. 143, ed. 1825.

Richelieu, in *La France mourante*, makes the chancellor say: 'Ostez la vanité des gouvernements, coupez la broche aux extravagances de chiquaneries, bannissez le luxe des habits et l'exces des festins, les deux vrayes pestes d'un estat et de la vertu.'
La France mourante, p. 56.

[2] 'Of the true greatness of kingdoms and estates.' Bacon's *Essays*.

Cardinal and Bishop of Paris, who held his literary court in the beautiful Italian palace, designed by Philibert de l'Orme, at St. Maur. Here, on the outskirts of Paris, in the gardens—described by Rabelais as a paradise of salubrity, amenity, serenity, commodity, and delight[1]—the little band of scholars found relaxation from the arduous round of duties in the city. Du Bellay was a finished courtier and man of the world. Easy-going and of large sympathies, he comprehended in his patronage such dissimilar spirits as L'Hospital and Rabelais. To the laughing priest he assigned the emoluments of a canonry in his collegiate church, and to the lawyer a house near his palace in which he might pass his holidays with his family. Du Bellay was ambitious and dreamed of a tiara, but his regard for L'Hospital was in no wise diminished by the sound advice conveyed to him by the latter in an ode dissuading him from a desire which, if attained, might conflict with real happiness. The cardinal, as an accomplished host, knew how to arrange the visits of his associates, and there is no evidence of any contact between Rabelais and the future chancellor.

The king.

At St. Maur, L'Hospital's chances for gaining the king's goodwill were furthered by an unexpected visit of the monarch while hunting. The visit furnished L'Hospital with the opportunity of inditing some courtly verses which could not fail to please Francis, and the danger of eclipsing his kindly patron was elegantly avoided by an epistle to Du Bellay, praising in generous terms the odes written by the cardinal and collected by Macrin. The 'happy rival of Cicero and Virgil[2]' could not feel that his protégé was in any sense likely to pose as his literary peer, or waver in

[1] 'C'était un paradis de salubrité, aménité, sérénité, commodité, délices, et touts honnestes plaisirs d'agriculture et de vie champêtre.' Rabelais.

[2] 'Salve, Pieridum Musarum dulcis alumne,
Magnus constrictis pedibus, magnusque solutis
Auctor, eo vincens Ciceronem Virgiliumque.' iii. 259, ed. 1825.

allegiance to a kindly patron. Such compliments, gracefully and loyally conveyed by a writer of L'Hospital's known sincerity, drew the bonds of friendship closer, and proved the author's fitness for service demanding greater courtesy than was required in the routine of the law courts. The strife of parties had not yet forced public men to take that bitter attitude towards one another visible a decade later. Hence the councillor of parliament could, without offending his sense of truthfulness, pay homage to others among the more notable cardinals who served the king at Court more than the Church in their diocese. To George of Armagnac[1], and to Tournon of persecuting fame, he writes in quiet, measured words. Armagnac, who afterwards gave the first impetus to the League, is urged to receive an attack of sickness with resignation, heaven has only touched him with affliction to render the rest of life happier by contrast[2]. Tournon, an equally austere and fervent Catholic, receives an account of L'Hospital's endeavours in the parliament. He is L'Hospital's political father confessor; but there is little to absolve. Nor is absolution L'Hospital's first demand. He seeks the brilliant sunshine of the king's favour, forfeited by the trespass of his father, and possible through the mediation of the powerful churchman. With the same intent he courts Odet de Chatillon, a man of vastly different temper from Armagnac or Tournon, and consoles him for the death of his mother. A dramatic irony is perceptible to the reader of history in the lines

Courtier Bishops.

> 'Nequicquam attigeris libros, et sancta Platonis
> Dogmata: nequicquam Paulum contriveris usu[3].'

None of these ecclesiastical advisers of Francis could turn

[1] De Thou calls him 'seul protecteur des gens de lettres en ce temps-là.' *Mem.*, p. 289.

[2] 'Sive Deus vitae spatium laxavit ut eius
Admonitu morbi melior post vita sequatur.'
Dufey p. 40, ed. 1825.

[3] *Ad Odetum Castillionœum Cardinalem*, p. 56, ed. 1825.

The king's long-continued anger.

the king's long-established resentment from its object. The treason of Bourbon had been a great shock to his royal master, and with Pavia and the Spanish imprisonment lingered in the king's mind all the more tenaciously that advancing age and a body impaired by excesses brought something of that fear which often lurks under cruelty, and makes men hesitate to be generous.

Du Châtel.

But L'Hospital had a yet more powerful friend than either of the cardinals. Pierre du Châtel [1], a man of wide travel, extensive knowledge and generous instincts, had, by his extraordinary adventures, won the heart of Francis in their recital. 'He is the only man whose resource in conversation never fails,' said the king, and appointed the man of many travels his reader and librarian. Church preferment followed, and he became grand-almoner. This really estimable man used his influence at court for the good of others. He decried excessive taxation of the poor, as only suited for the government of a Nero or a Domitian, and refused to persecute those who dissented from him in the faith, pleading that a bishop's duties differed from those of an executioner. It was the duty of a bishop to teach, not burn men. To this excellent courtier and kindly man L'Hospital in 1544 told the story of his non-success in obtaining an appointment of a diplomatic nature at Turin. The fatal blight of treasonable extraction doomed his hopes to failure, and in his epistle to Du Châtel he pleads through him to the king for clemency to his father, and justice to himself. The diction of the letter is striking, the prayer for consideration of his father's services, and his own undoubted loyalty, is convincing, but Francis was obdurate, embittered by sickness and the dread of approaching death. The cloud was never lifted from L'Hospital during the

A tolerant churchman.

[1] 'Sur tous il y avoit M. Castellanus très docte personnage, sur qui le roy se rapportoit par dessus tous les autres quand il y avoit quelque poinct difficile' Brantôme, ed. Lalanne, iii. 93. Pierre du Châtel was successively Bishop of Tulle, 1539; Macon, 1544; and of Orleans, 1551. He died in February, 1552.

king's life. His desire to emerge into the bright atmosphere of diplomatic life met with no response.

L'Hospital's success in the Courts.

Yet his services to the king and state had been solid and valuable, and his legal reputation had grown, in spite of the jealous efforts of less noble men and less strenuous workers. His strength of mind and of body told in the course of time. His work had been of the most honourable kind, whether presiding over the Grands Jours, the highest provincial courts, at Moulins, Riom, or Tours, judging the claims of aspirants to the doctorate in the University of Orleans, scrutinizing for parliament the antecedents of doubtful candidates for the legal body, or last, but not least in the eyes of the parliament, presenting remonstrances from it to the king. His close attention to his work and the stern sense of duty which carried him through a task utterly uncongenial to his brilliant talents, have been noticed above. His consolation was the formation of friendship with the knot of spirits joined to Cardinal du Bellay, and with other choice minds such as Aimard de Rançonet[1], a Toulousian, and Pierre de Mondoret, the translator of the tenth book of Euclid. In time, some of his junior associates from Padua came to swell the ranks of the great French law companies, and to renew in the halls of Paris friendships formed under the shadow of the Euganean hills. The admirable traditions of the young French students in Italy revived in their native land; *belles-lettres* were not looked upon as a useless commodity by all the members of the French bar; and the greatest of the lawyer scholars, L'Hospital, may claim no small share in the encouragement of Ronsard, the chief star in the Pléiade.

Olivier, the Chancellor.

L'Hospital had yet one other powerful friend in the newly-appointed Chancellor of 1545. Francis Olivier, sprung from lawyer stock, had made his own way from the

[1] Aimard de Rançonet (1498–1559) was successively a councillor in the Parliaments of Bordeaux and of Paris. De Thou says his imprisonment in the Bastille, resulting in his death, was owing to the anger of the Cardinal of Lorraine.

bar to the bench, through the various grades of councillor, master of requests, and president of the council, till the destitution of his predecessor, Poyet [1], opened the way to the highest honour in the French magistrature. Poyet, who had done his best or worst to make the king absolute over the goods of his subjects, had fallen a victim to the tyranny he had so cleverly erected. His successor was a very different man, who to distinguished legal ability united generous ideas of civil and religious liberty. During the suspension of Poyet he had, to his everlasting honour, exercised the traditionary privilege of the Chancellor in refusing to seal the order for the massacre of the Vaudois [2], which the fanatical Tournon was forcing on the king. By some trick the order was signed, countersigned, and sealed, and the horrors of Merindol were the result [3]. The cardinal pleaded his cause in Paris, and won the king to his side; L'Hospital wrote to Olivier expressing all his horror in witty verses, which satirized the power of the eloquence displayed by the rival advocates Robert and Aubry [4]. The speeches are extant, and support L'Hospital's criticism, which must be ranged under the head of his other attacks upon the faults of parliament. Olivier was simple in tastes, but did not object to the artistic tributes of the younger lawyer. At times he replied in verse of his own. The two friends are linked in qualified description by the most observant critic [5] of his time, as men of the greatest ability and more

A conscientious lawyer.

Simple in tastes.

[1] He died, a poor and broken man, in 1548.

[2] Dupré-Lasale, p. 117. He acted as deputy or 'custos sigilli' till Poyet's sentence was announced.

[3] Martin, *Histoire de France*, vol. viii, p. 332.

[4] 'Nam longam historiam pulchro simul ordine coepit
Albricius recitare, viros et morte peremptos
Indigna, raptasque soluto crine puellas,
. . . . . .
Dicendi finem vix fecerat ille, Robertus
Occupat: indignari omnes quod surgere contra
Audeat: admirari etiam quid dicere possit.'
Dufey, vol. iii, p. 148, ed. 1825.
(Aubry, afterwards lieutenant-civil.)

[5] Montaigne's *Essays*, vol. ii, ch. xvii. 'For men extraordinarily

than common virtue. It was this virtue that cemented their friendship in Olivier's dark days, when, exiled from Court and office, he is cheered by L'Hospital's kind words and phrases of genuine respect. The friendship is a pleasant one to consider, with its courtesy tinged with more human colour than the somewhat strained letters to Tournon and other lofty patrons.

Befriends L'Hospital.

L'Hospital had good cause to be grateful. The elder man had given his junior on the bench excellent opportunities for showing his ability in cases where a wise decision meant reputation. In criminal cases in which the admiral De Brion and the treasurer Loppier appeared, and in the examination of claims against the royal domain, or in drawing up laws for the reformation of hospitals, the councillor of parliament had abundant occasions of demonstrating his ability and zeal for the king's service. With what success he laboured has been shown. In 1547 came the crash that overwhelmed all the antique patrons to whom L'Hospital paid court, with the exception of the good Du Châtel, who had withstood many but offended no party, and Olivier, whose reputation was proof for some little time longer.

1540.

1545, Rothelin.

Francis dies.

Francis I died at Rambouillet, old before his time. A mysogynist writer of memoirs [1] is ready with the cause of his death, and of much of his trouble, domestic and abroad. He had lived for himself, and it is difficult to find anything for which the country may be really grateful to him [2]. The best summary of his life and reign is the phrase written by Tavannes—'Il eut quelques bonnes fortunes et beaucoup de maulvaises [2].'

His epitaph.

The Council of Trent.

The immediate result to L'Hospital was an appointment, through the medium of Olivier, to an ambassadorship to the council sitting at Bologna. The council had met at

sufficient and endowed with no vulgar vertue, Olivier and L'Hospital, both great Chancellors of France.'—Florio's translation.

[1] Tavannes, *Mémoires*, Didier, p. 136.

[2] See Voltaire, *Essai sur les mœurs.*

Trent, in German territory, in 1545, to do battle with Luther and all his protestant forces. Luther died within a year of the meeting, before the council had fairly set to work, and before all the members summoned had put in an appearance. The French bishops were conspicuously absent[1], and the royal envoys sat aloof from the meetings, for in France the 'Thorough' principle of dealing with heretics had not yet penetrated, and, for political reasons, the king objected to a council dominated by his rival. The religious movement had passed into its initial political stage, and all parties concerned—Paul III, the Emperor, Maurice of Saxony, and Francis—were ready and anxious to give it development. Henry VIII in England had already broken every rule of the game, and was gloating at home over ill-gotten spoils, but ready to seize anything from his neighbour that offered itself. National temper and institutions were emerging from the grey indistinctness of feudal times, when the Spanish count could only be distinguished from the French baron by the device on his coat of arms. The 'Peace of God' was yielding to the king's peace with greater or less readiness, and kings were beginning to assert themselves over all persons and in all causes in their dominions supreme[2]. Sovereignty was becoming a defined term, and the Pope's rights were not included in it. Mother Church, like a hen that had hatched ducklings and cygnets, cried in vain to her ill-comprehended brood. The unity was only theoretical, and when the Emperor paused for a time near Trent, fear, augmented by his open breach with Paul III, caused the legates, under pretence of an epidemic, to vote for a change of seat. The Italian and French prelates hastened to Bologna, the imperial bishops remained at Trent. Thus the Pope, by breach with the Emperor, gave stability to the Protestant cause, and by the trans-

'Papal' *versus* 'National.'

Growing power of royalty.

[1] Only three were there. Aix, *Ag. de Clermont.* Martin, *Histoire de France*, vol. viii, p. 355.

[2] Cf. Jenks, *Law in the Middle Ages.*

lation of the council furnished Europe with something like the spectacle of a fresh Church schism [1].

To this discordant gathering L'Hospital was sent, in company with d'Urfé, a gentleman of the king's chamber, and Claude d'Espence, an able and enlightened theologian of the University of Paris.

L'Hospital appointed Ambassador at Bologna.

[1] See Froude, *Hist. of England*, vol. iv.

III

The journey to Bologna.

L'HOSPITAL'S first experience of diplomatic work was not calculated to charm him. He wrote an account of his journey through Turin, Placentia, and Cremona, to Adrian du Drac, his parliamentary friend. The journey was not without incident: a sudden squall threatened him with drowning while crossing the Po at Turin, and at Placentia he saw[1], to his horror, the sanguinary traces of the rising that ended in the death of the Duke of Parma[2], son of Pope Paul III. The mutineers, with reeking weapons in their hands, were celebrating their triumph as L'Hospital reached the town, and in disgust turned aside to an inn away from the unpleasant sights. The insult to the Pope embittered matters in the council at Bologna, and L'Hospital found the theological squabbles as tiring as the pleadings in the court. The spectacle of the dangerous divisions among churchmen, and the possibility of selfish and unscrupulous politicians using their variances as levers to promote civil strife, made him anxious to leave the useless conclave and pour his suspicions into the ear of his friend the chancellor.

Strife in the Council.

'I am ill in mind and body,' he writes; 'a letter from the king will cure me straight away. Do not consign me, how-

'Vidi fulgentes gladios, et sanguine sparsas
Pene manus, tepidumque recenti e vulnere telum,
Proiectum canibus crudeli more cadaver,
Et circum denso volitantes agmine corvos.
Nec longum misera spectator in urbe moratus,
. . . . . .
Vicinam haud longe divertimus urbe tabernam.'
Epistola Ad Adrianum Dracum, ed. 1825, p. 32.

[2] Peter Louis Farneze, a man of corrupt life (see De Thou), father-in-law to Diana of Angoulême, natural daughter of Henry II.

ever, to the hated law-courts: give me some work near you, and in some place where I may devote some portion of my time to letters. May the volumes of Baldus, Paulus, and Jason rest in everlasting peace and dust, if only I may escape the endless pleadings inspired by them.'

Taking these words as a reasonable account of L'Hospital's condition and feelings at this time, two explanations may be given for his despondency. Either the strain of his work at the bar and the keen disappointment attending his first essay in diplomatic service had begun to undermine his health, or the feeling of depression may have resulted from a prescient view of the coming evil in France discernible in the failures at settlement in Bologna. The one consolation that never failed L'Hospital served again to relieve the monotony of uncongenial duties. In the cultivated society of the Italian city were all the means for the gratification of the most ardent literary instincts. The combination of loyalty to papal authority and attachment to literary advancement was typified by Pietro Vittori, Lilio Giraldi, and Marco Antonio Flaminio. The last of the trio was as much celebrated for his amiable and elevated character as for his classical scholarship. L'Hospital's verses to du Drac had gone the round of the scholars in Paris, and had found their way back to Italy, for Boysonné wrote to a friend, Layus, acknowledging the reception of a copy: such work, he declared, disproved for ever the theory of the incompatibility of law and letters. The views of Flaminio, on the folly of attempting to repress heretical doctrine by persecution, were detailed in verses dedicated to the College of Cardinals. Achilles Bocchi[1], honoured by the friendship of Henry II, held similar opinions to those of Flaminio, and their tolerant spirit

Renewal of literary activity.

Flaminio.

Boysonné's tribute.

Bocchi.

[1] Bocchi (1488–1562) was a diligent scholar, proficient in Hebrew, a great student and collector of manuscripts. He founded an academy called by his name at Bologna. Two medals were struck in his honour, one being inscribed, 'Achilles Bocchius Bononiensis Historiae Conditor.'

commended itself to L'Hospital. He had long admired the compositions of the Bolognese writer, and desired to know him. Both regretted the wrangling among churchmen, which weakened the defences of the Church and opened breaches by which the most violent sectaries might march to the destruction of valued doctrines.

> 'Dum vel posterior convellit dogmata primi,
> Aut placita alterius decretis dum sua praefert,
> Moliturque novam proprio de nomine sectam[1].'

The cross not a symbol of war.

The holy faith sent from heaven, and typified by the cross, should be the symbol of unity girding the whole world and drawing all men to it, not a signal for conflict among believers.

> 'Non aquila huic signum, non Minotaurus, imago
> Terribilisve ferae, miseros quae terreat hostes:
> Crux est sanguineis maculis distincta, trophaeum
> Illius a quo sancta fides manavit in omnes.
> At non carnificem, non hostibus illa minatur
> Exitium, . . .'

The cross imposed duties upon its followers: only by sobriety and simplicity of life would they win their cause. By self-abasement and restraint their faith would wing its way to heights above the sun, above the stars, to the glorious vision of the face of God.

This remarkable poem gives a valuable glimpse into the inner thoughts of a man tinged with deeply religious feeling.

Milton, rather than Dante, suggests itself to the reader of the well-knit lines. The poem expresses a sincere belief rather than an inspiration, but it is a noble creed, with its conviction that truth may be reached through mercy. It will be the guiding star of a glorious policy in the mirk and stour of intestine strife, a symbol flashing to the world the unquenchable light in a good man's mind. Passages in the

A noble creed.

[1] Dufey, ed. 1825, vol. iii, p. 68.

poem recall biblical language, and L'Hospital had made a thorough and complete perusal of the Bible in Greek. His Greek Bible [1], a beautiful Aldus of 1518, is annotated with considerable glossary notes in the margin of the pages. These are in Latin, written carefully in his strangely characteristic hand. They begin in Genesis, and are fullest in the Apocalypse. Thus the busy lawyer, financier, and statesman found time for the study of the faith whose powers he extolled so highly in his letter to Bocchi. Biblical study.

The association of his matured powers with those of the Bolognese scholars widened his critical decisions, while it enhanced his literary skill. He found in Italy an incentive to greater themes and loftier invention than in France. The traditions of Italy were not content with the bagatelles produced for amusement in spare moments [2], they demanded the whole of the man's thought and work. Greater ideals. The influence of Italy.

Virgil, Dante, and Ariosto in such different times and manners furnished Europe with examples of continuous work, and the tradition had spread widely in the ages separating the great poets. Fame in poetry, as in all else, can only be achieved by men 'who scorn delights and live laborious days.' Thus the visit to Bologna was not without its benefits to the ambassador. The return to the country of his youthful study, the reawakening of his early ambitions to excel in literature, the new experiences of the discussions in the council, each had its influence on his mind, and the phenomena exhibited in his actions at this period denote a formed character. There are men whose characters seem ever to be undergoing some evolution, and others who take a wide and clear view of life at some early period, fix upon some object or ideal and remain faithful to it. To this rarer class L'Hospital belonged, and to that species whose ideals are intrinsically good. External L'Hospital's character.

[1] The Bible, once the property of Jacques Auguste de Thou, is now one of the treasures of the British Museum.

[2] Ep. to Salmo Macrinus.

circumstances only serve to modify but not to change the character, which depends upon the will, whose effects are visible in it.

L'Hospital's prayer to return was at length granted, and he was permitted to witness, in no mean capacity, one of those pretty functions which the sixteenth century and Italy combined to render completely charming. The daughter of Renée of France, Duchess of Ferrara, was to be married to Francis, Duke of Aumale, eldest son of Claude, Duke of Guise. His brother Charles, Cardinal of Guise, had seen the beautiful and accomplished heiress of the house of Ferrara, and had planned the marriage. Grand-daughter of Louis XII, Anne d'Este would bring additional lustre to the rising star of the house of Guise. Her wit and handsome figure, together with her faultlessly correct attitude in the face of the somewhat corrupt court whence Marot[1] issued his blazons, procured for her the cognomen, 'Vénus la Sainte.' The King of Poland had been mentioned as a likely possessor of her hand, but the wish of Henry II, and the desire of Renée to see her daughter in the Court of France, prevailed in favour of the manly heir to the powerful house of Guise. L'Hospital was present at the contract, on behalf of his master the King of France; and the ceremony, which in itself was a happy one, brought kindly feelings and new friends to the ambassador. This was further increased by the important part played by L'Hospital as guardian (curator) to the young princess, in the ceremony of renunciation of all hereditary rights to the duchy of Ferrara. There was a complicated point of law to be settled in the alliance of a princess of Valois, and d'Este blood, to a scion of the ducal house of Lorraine[2]. The ordinary body of the

Ferrara.

Anne d'Este

betrothed to Guise.

L'Hospital curator of the bride.

[1] Clément Marot. P. Jannet, vol. i, ch. xviii.

[2] The dominions of the house of Lorraine had been divided by René into imperial and French portions, Antoine succeeding to the Dukedom of Lorraine and Claude to the French fiefs under the title

Roman law would not permit parents alone to contract engagements in matters concerning the rights of their children, and the peculiar statutes of Ferrara forbade women, even those of full age and married, to enter upon a contract without the concurrence of their family. Anne d'Este was a minor, and the situation formed excellent ground for future political complications, if diplomatic and legal functions were carelessly or unscrupulously handled. The appointment of L'Hospital as curator of the illustrious ward was an evidence of the high trust placed in his legal ability and diplomatic integrity: the absence of any subsequent political trouble arising out of the marriage testified to the wisdom of election. L'Hospital's duties as guardian to the young spouse did not end with the wedding contract[1]. He escorted her across the Alps, calming her terrors on the rugged passage by descriptions of the lovely plains of Touraine and the châteaux radiant with the brilliant favourites of the Court. True to his sense of duty, he addressed a letter of counsel[2] to his lovely charge, advising her to continue those studies in which the princesses of the house of France, Margaret of Angoulême and Margaret of Valois, took so much pleasure. The time would come when her family claims would demand her undivided attention, the memory of the pleasures of literature would then survive and lighten the labour of the daily routine. The poem, now difficult of access, contains a reference to L'Hospital's wedded life worthy of record. To compare great things with small, he instances his wife's love of music and subsequent initiation to Greek and Latin studies, and her readiness to abandon all her pleasures for the care of her young family. The friendship formed by

Successful negotiations.

Letter to Anne d'Este.

A domestic parallel.

of Count of Guise. Guise is a fortified town on the Oise in Picardy, about sixty miles due east of Amiens.

[1] Fonds Dupuy, 701, Bibl. nationale.

[2] This letter is not given in the 1825 ed. It is in the 1732 ed., p. 400.

Anne d'Este for her mentor was never broken. In the dark days of the St. Bartholomew he appeals to her for the protection of his daughter, and in his fervent letter of thanks recalls the old days[1] of Ferrara and the simple faith of the royal maid.

Favour of the Guises.

The Guises were well satisfied with the successful negotiation and conduct of the marriage. Charles of Lorraine, consecrated Archbishop of Rheims at the age of twenty-three, possessing all the intelligence of his uncle, the Cardinal of Lorraine, with more vigour and ambition, had gained the affections of Henry II, and hoped to bring about reforms in government and in the Church as soon as Francis should die. He had communicated some of his projects, which later on underwent enormous modifications, to L'Hospital. The latter on returning from Italy, and witnessing the reforms introduced into the courts with the attempts to improve the condition of finance and the affairs of justice, congratulated the cardinal on the rapid fulfilment of his wishes. Naturally the ambassador must have felt some relief in the removal of the sullen cloud that hung over his fortunes during the life of Francis, and his successful introduction to royal business, coinciding with his return to France under improved conditions, disposed him to view these changes under the rosy tint of his new hope. Their illusory character revealed itself subsequently, and too late perhaps for remedial measures to produce any effect. The alteration, or reform, consisted merely in the substitution of one set of favourites for another. The financial sweep of the broom was only a means of discovering whether anything remained unappropriated in any corner for the new-comers. The

Change or reform?

[1] 'Nam memini, dum te Ferraria dulcis alebat,
Non solum te forma alias anteire puellas
Verum etiam matres ipsas pietate virosque
Omnes: ex illo est tua tempore maxima nobis
Gloria, cuius vix umbram Ferraria vidit.'
Ad Annam Aestensem, ed. 1825, p. 492.

rapacious yellow-haired Duchesse d'Étampes resigned her empire to the elderly Diane de Poitiers, greedier than her discredited rival, and more skilled in the spinning of political cobwebs to catch the unwary objects of her greed or hatred. These turns in the wheel of fortune gave Tavannes, the ugly moralist, abundant opportunity of exercising his sarcastic faculty.

The law-courts again.

Francis had not been a Solomon, but there was something of the Rehoboam in Henry's dealings with the law-courts. L'Hospital returned to the work on the bench cheered by the friendship of the Chancellor Olivier, whose fall had not yet struck Diane de Poitiers as a necessary step in her policy, and by the growing favour of the Guise family. They were desirous of advancing the clever lawyer whose talents devoted to their service would be invaluable. But the work was none the less distasteful, and under Henry II it threatened to prove dishonourable. Henry had a grievance which he determined to remove by some kind of legal tribunal. In 1544, when marching to the release of Boulogne besieged by the English, he learned with disgust and dismay that the town had suddenly surrendered. His attempts to relieve the town were rendered useless by the negligence of the father-in-law of the man who had rashly surrendered against the wish of the townspeople. The citizens of the conquered town openly accused their governor of treachery, and petitioned Francis to punish him, but the king refused to listen to the appeal. The loss of the frontier town under such circumstances was rendered the more distasteful by contrast with the gallant defence of St. Dizier, which in a way held the emperor from marching on Paris. Henry could not forgive the loss of his only chance of military reputation, and urged by his favourites, jealous of seeing any of the old court-party in positions of honour or trust, he determined to take tardy vengeance on the alleged defaulters. Letters patent were therefore issued in January,

Henry II and the surrender of Boulogne.

Treason or fortune of war?

The Vervins Commission.

1549, appointing a commission to try Jacques de Coucy, Lord of Vervins, commanding Boulogne, and his father-in-law, Oudart, Maréchal Du Biez. L'Hospital was chosen by Olivier, with seven other councillors of the Parliament of Paris, to form part of the twenty-three judges composing the commission. To him was assigned the drawing up of the evidence against the accused for consideration by the bench, a mixed assembly of masters of requests, ordinary members of various parliaments, and certain of the great council. The commission was presided over by Pierre de Remon, the premier president of Rouen, and with the exception of Cortel, one of the masters of requests, its members were men of unblemished public reputation, and lawyers of distinction. Montluc, who is as reliable an author as he was a brave soldier, terms him 'le plus renommé mauvais juge qui fût jamais en France[1].' Cortel had boasted that in the conduct of the most upright lieutenant of the king who had held a post for two years he could find enough breach of law to send him to the gallows. Such a man might well serve as a tool for a tyrant, but his influence was minimized in the large commission. The proceedings were held with closed doors at Melun, and the sentence passed upon both the accused was death, for having traitorously and in perjured manner delivered Boulogne to the English.

L'Hospital to report.

The sentence 'Death.'

The king and the trial.

One regrettable incident had taken place during the trial, recorded by a memoir-writer, with all details of circumstance[2], and has been accepted as an actual fact, although there is one undoubted inaccuracy in it[3]. The king, in his eagerness to know how the court was progressing, sent for the presiding judges, and vehemently urged the guilt of the prisoners, and his desire to hear that the case was

[1] Montluc, *Michaud*, p. 276.
[2] Vieilleville, *Michaud*, p. 64.
[3] Sismondi, vol. xvii, p. 383, accepts the whole story with Lizet as president and three other présidents de la cour of Paris. Lizet of course was not a member of the commission.

at an end. The first president asked him whether he desired that both should receive the capital sentence. On this the king launched out into condemnation of Vervins, and a long speech detailing his reasons for sparing Du Biez [1], provided he might confiscate his possessions. The story may be taken for what it is worth, but there is no doubt that the king did intervene, and that a portion of his zeal for vengeance was due to the desire to replenish his coffers, to appease the pack of hungry courtiers around him. This scandalous interference with the course of justice has damaged the prestige of the trial, though there can be little doubt that there had been at least culpable laxity on the part of Vervins, and perhaps of Du Biez. The former [2] was beheaded and quartered, the latter, a grey-headed old man, close upon eighty years of age, had his life spared, and was permitted to pass his remaining days bereft of his fortune and estates.

'Chose jugée,' reconsidered.

The indictment proved terribly conclusive, but the doubtful character of some of the witnesses furnished the son of Vervins with the opportunity of obtaining letters of rehabilitation from Henry III. The historian [3] who relates this last episode takes care to brand the commission as a complaisant tribunal, more eager to seek favour with the king than to preserve the purity of the law from any spot. This has been copied by writers unable or careless to examine the facts, and in discussing the issues of history it might be permissible to pass over the sentence of a court upon two military defendants famous for nothing else but their trial. But the accusation of serving on a complaisant tribunal affects the character of a greater man 1575.

[1] Du Biez, the successor of Bayard, knighted by Henry II on the field. *Brantôme*, ed. Lalanne, vol. iii, p. 60, note.

[2] See Brantôme's Epitome: 'Le roy Henry fit aussi punir M. de Vervin pour Boulloigne, fut pourtant après sa mort donné un arrest pour son innocence, cependant il en pâtit à tort ou à droict cela s'est disputé long-temps.' *Brantôme*, ed. Lalanne, vol. iv, p. 22.

[3] François de Belleforest.

L'Hospital's character in question.

than king, traitor, or the whole bench of judges, and demands that the important part taken by L'Hospital in the trial shall be thoroughly investigated. His title to credit rests upon better testimony, and is derived from greater deeds than can be affected by this trial, but there is something so out of the common in the universal admiration of the elements of his character, that mere desire to say something new might justify careful search to find the flaw.

The composition of the court has been proved excellent: with the king's intervention L'Hospital had nothing to do, and no doubt has ever been thrown upon the evidence of the witnesses given in this particular case. The fact that they gave false evidence on another occasion proves nothing in this instance. Nor was L'Hospital consulted in the reviving of an accusation which, though old, had never been brought before the bar of justice. It is all important to know whether his *rapport* was just, and formed upon sufficiently considered evidence. The military writers of the time, who knew the facts best, and were unbiassed in their statements, charged Vervins with culpable cowardice. To quote Montluc once more, 'l'Anglais s'arrêta devant Bologne laquelle luy fut laschement renduc par le sieur de Vervin (*sic*) qui en perdit la vie. Ce tableau devroit estre devant ceux qui entreprennent de tenir les places.' It had become the stock example of warning to the young captains who turned for revelation to the soldiers' bible. Nicole Gilles[1], Martin du Bellay, and Jacques Auguste de Thou corroborate Montluc, and dwell upon the fact that the surrender was made against the express wish of the people, who were ready to hold out, seeing that they had four months' provisions, and that the

Was the evidence sufficient? Military opinions

are against Vervins.

[1] 'A sa grande confusion et au dommage du prince et, n'ayant voulu croire le conseil des vieux soldats et fauçant la foi à son prince, il fut depuis paié selon sa desserte,' etc. Nicole Gilles, *Les Chroniques et annales de France.*

Dauphin was at hand with succour. If he had held on [1] but for two days the English would never have gained Boulogne. This collateral evidence would be in itself sufficient to justify to an impartial reader the sentence of the court, in striking with its greatest severity a man guilty of the crime of surrendering a town capable of defence. To such a crime there can be no extenuating circumstances, and the glory of faithful trust is proportionately as great. Lucknow and Khartum are modern examples of obedience to this simple axiom of war, laid down by great captains before Montluc. In a descendant of Enguerrand de Coucy the weakness of the lord of Vervins sullied the reputation of a brave line of forefathers. The record of pleadings of the trial has long been lost, but for the vindication of L'Hospital's conduct of the onerous task entrusted to him there exists a precious document of much interest [2], which has not yet been presented to the public. It is a large portion, if not the whole, of the rough notes collected by L'Hospital for his *rapport*. There, in the well-filled pages, carefully numbered, may be found the various points at issue placed side by side with the evidence bearing upon them. Here and there some detail is scrawled out and obliterated roughly and in evident haste, but with a haste which shows eagerness for much doing, rather than rapid and incomplete dispatch of some small matter in hand. It is interesting to gaze upon this record of a great man's labour, done in the retirement of his own chamber, and entirely by his own hand. The work is that of an accomplished jurist and scholar bending to the smallest detail, insisting on personal supervision of the least circumstance likely to affect the balance of the scales of justice in so important and weighty a matter as the trial of a governor for treason, involving a penalty of death and dishonour. Place this piece of work beside his graceful epistles, describing his

L'Hospital's careful inquiry.

His own notes of depositions are extant.

(See note below.)

[1] Belleforest: *Les Chroniques et annales de France*, p. 467 b.
[2] MSS. Dupuy, 474.

His work testifies to the sincerity of his statements.

dogged labour in the courts, and it is plain that the elegant verses are no mere rhetorical tirade, but genuine pictures of the writer's life. This fragment of a forgotten law case speaks as eloquently to the character of its compiler as do all the great achievements of his later days, which are enshrined in the pages of the great historians, and which have enriched the political wisdom of the ages born after him. The evidence against Vervins is unmistakeable, and whatever there may be to regret in the royal intervention, and the conduct of any of the judges, there can be nothing but respect for the *rapporteur*, who has so efficiently done his duty in collecting the evidence for and against the accused.

The rise of the Guises as a political power.

The house of Guise, which appeared with such prominence in the affairs of France, merits more than passing notice. By the old nobility the Guises were regarded as upstarts, though the creation of the title was only the restoration of a very ancient French dignity which had passed with Marie of Blois, by marriage, to Rudolf of

1333. Claude;

Lorraine. Claude, the first count, had proved himself French of the French. Too wise to take part in the wild adventures into Italy, he had remained in France during the absence of the king, and had acquired popularity by his successful efforts against the Spanish, English, and Germans in their attacks upon the various frontiers.

his services to France;

While Francis was in captivity Guise took a large share in the regency, and his strong arm repressed the dangerous peasant-rising of Lorraine. These services were paid with

his character.

the title of duke, in 1527. Physically handsome, he was in character harsh, narrow-minded, cautious, persistent, greedy. His brother John, Cardinal of Lorraine, was as fortunate in his taste for the arts as Claude was with the sword They both received results beyond their merit. John was a man of wider tastes, and linked in friendship with Erasmus, Rabelais, and Marot. One quality they possessed in common, and it marks the race. They were

greedy. No Guise ever gave a favour without exacting some concession in return; 'Greedy as a Lorrainer' became a proverb. But they were a strong race destined to go far in the kingdom. They had large families and formed numerous alliances, securing some advantage at each fresh move. 'Mon Cousin, vous seriez deffendu contre qui vouldront vous dérober votre cappe,' said Francis, when Claude of Guise appeared before him attended by his six handsome boys. The qualities of the race ran throughout the numerous kinship, and produced a clan spirit, and while each worked for himself all worked for the family. Thus Claude of Lorraine [1], who survived Francis I by three years, saw his sons grown to manhood, allied to princely houses or princes in the Church, and his daughters presiding over wealthy abbeys full of noble inmates or wedded to royal suitors. Marie, the widow of the Duke of Longueville, married James V of Scotland, and Louise, her younger sister, was Princess of Orange. For three generations the dukedom of Guise and the cardinalship of Lorraine were held by brothers, who used their utmost endeavour to advance the fortunes of their house. Francis and Charles, the respective successors to the civil and ecclesiastical dignities, were better men than their predecessors. Much of the climbing work had been done, and they found themselves able to adopt a more liberal tone of recognition towards those who helped them in their ascent than the pioneers of the family, thus redeeming the ill character of the Lorrainer. But the innate avarice of the race was not quenched. The younger Claude of Guise married Louise de Brèze, daughter of Diane de Poitiers, and with her obtained titles, through the king, to all the vacant land in the kingdom. Diane, Montmorency, and the Guises formed a triple alliance in the disposal of the funds of the royal treasury. It was their policy to remove all barriers, legal and administrative,

Saying of Francis I.

Royal alliances.

Family support.

Grasping policy.

[1] Died 1550.

from their cupidity. One by one, great officials were attacked and degraded to make room for creatures more subservient to their designs. Lizet, the Premier President of the Parliament of Paris, was embroiled in a dispute between the privy council and the body over which he presided and whose honour he was eager to guard. In vain L'Hospital, du Drac, and others were commissioned to plead for him to the king. He was unable to fight the matter out, and resigned. His place was immediately filled by a nominee and tool of Montmorency, Jean Bertrand, and Bertrand's position was assigned to Lemaître [1], an equally complacent instrument of Diane de Poitiers. These were but steps to an action of higher significance and equal injustice. Olivier, the Grand Chancellor, was an obstacle to the policy of Charles of Lorraine; his resistance to the prodigalities of the Court annoyed Diane de Poitiers. His sombre character revealed itself in his edicts of the early days of Henry's reign, which were cruel even for the times; his rectitude and good intentions were appreciated by L'Hospital, to whom Olivier owes an eternal debt of gratitude. L'Hospital was the unconscious apologist for the stern lawyer, whose powers of criticism were greater than his facility of writing, and whose ideas of correcting the tone of public morality consisted in the harshest of measures. He was a man made to alienate all but those who could appreciate his somewhat gloomy virtues. But the office of chancellor was one of those that could only be voided by the death of the holder, consequently Olivier's deposition was no easy matter to undertake. He himself suggested a method. His eyes were troubling him and interfering with the pursuit of work; he was ready to retire from active duties and to hand the seals to Bertrand provided he might keep his titles, dignities, and emoluments. Bertrand wished for something more definite than this shadowy function, which would necessitate his sur-

Dealings with Olivier.

Olivier's retirement.

[1] De Thou, vol. vi, p. 524.

rendering the premier presidentship of the parliament. A meeting was called by the cardinal, of certain members of parliament, to discuss the situation. Lemaître and L'Hospital were of the number, and the result of this informal discussion of a point of statecraft was the suggestion of the creation of an office of keeper of the seals, with the reversion of the office of chancellor to Bertrand, when vacated by the death of Olivier. This was accepted by the king, and letters of provision were sent to parliament for enregistering [1]. Some of the members of the parliament, led by the clever Pierre Séguier, were justly opposed to the accommodation and the part played in it by the members of the Court. But on the whole, the arrangement was a satisfactory one—'civile et raisonnable,' as they termed it—and quite acceptable to Olivier. His friendship to L'Hospital remained unshaken, and there is reason to believe that the younger lawyer advocated, to the best of his ability [2], the claims of his old friend fallen into deep waters. Olivier retired to his estate at Leuville, pleased to obtain the quiet denied to him by his factious adversaries. This calm he enjoyed till fate rudely brought him on to the scene again amid the most trying and distressing circumstances, in struggling to cope with which he died.

L'Hospital's friendship with Olivier.

The Guises and Diane were now all powerful: court, parliament, and chancery were in their hands, and their ally, Montmorency, disposed of the army. L'Hospital had gained nothing by the change; his talents could not be ignored, his integrity was appreciated by all parties. Promotion that came not from the east came from the west. Jean Morel, the 'Apollon parmi les muses,' the close friend and neighbour of L'Hospital, numbered among the bards over whom he reigned Pontronius, the teacher of Margaret of France, sister of Henry, and niece of the famous Margaret of Navarre. L'Hospital wrote some

Margaret of Valois.

[1] April, 1551.
[2] On the return from Italy.

lines to Pontronius about the time of the death of Francis I [1]. In the epistle he referred in choice terms to the royal pupil of his friend. His words pleased tutor and pupil alike, and led to an introduction to the—

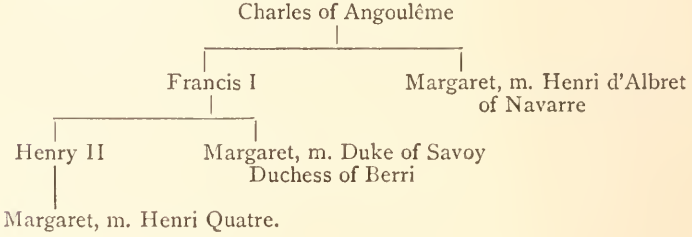
'Felix musarum hospitium, domus inclyta vatum'

of which he soon became an inmate. The sedate mind of the princess was charmed with the good sense and talent of her new courtier, whose worth and modesty were apparent. In 1550 the Queen of Navarre, at her death, left vacant the revenues of the Duchy of Berri. Henry invested Margaret [2] with the possession, and her first act was to appoint L'Hospital as her chancellor. He read his appointment to his colleagues in the High Court on November 29, 1550.

Chancellor of the Duchy of Berri.

[1] Epistola ad Pontronium Margaritae Francisci regis filiae preceptorem :—
'Pontroni quid agit nunc regia virgo,' etc. Ed. 1825, p. 35.

[2] The following skeleton genealogy shows the three Margarets of the sixteenth century, they are often confused.


Charles of Angoulême
Francis I
Margaret, m. Henri d'Albret of Navarre
Henry II
Margaret, m. Duke of Savoy Duchess of Berri
Margaret, m. Henri Quatre.

IV

MARGARET'S choice of L'Hospital to occupy the important post near her person filled him with feelings of sincere gratitude. His honesty prevented him from amassing wealth after the approved Court fashion, and the treatment meted to faithful public servants like Olivier was hardly encouraging. 'Nascenti virtuti multa se impedimenta offerunt[1]' are the words in his will immediately before his grateful acknowledgement of Margaret's favour in lifting him out of the stormy waters of legal strife[2]. His faith in her goodness never wavered, and at his last moments he commended with confidence his wife and children to her consideration. The Chancellor of Berri.

Although less famous in literature than her aunt[3], and less known to history than her niece, she had her court of poetical admirers. Du Bellay, Ronsard, Belleau, Jodelle, Desportes, had each some elegant title to adorn her, and Brantôme styles her 'La Pallas de France.' Without prudery, she moved unsullied in the atmosphere of a Court notorious for its lax morality, and displayed the best side of the taste for art which Francis had bequeathed her. Aloof from the intrigues which in different ways and from Margaret's character.

[1] Testament. Dufey, vol. ii, p. 506. Johnson has almost the same, 'Slow rises worth by poverty oppressed.'

[2] 'Sola me fluctuantem et agitatum maximis tempestatibus excepit virgo sanctissima Henrici regis soror Margarita.' Test., p. 506.

'Te vero Margaritam Sabaudiae ducem, quae bonorum et honorum semper mihi author exstitisti, quae nunquam mihi neque meis ad salutem defuisti obsecro et obtestor ut, quam mihi viventi meisque perpetuam gratiam benevolentiamque tribuisti, eamdem mortuo uxori liberisque meis praestes.' Test., p. 513.

[3] Margaret of Angoulême, Queen of Navarre } See genealogical
Margaret of Valois, Queen of Navarre. } table.

varied motives Catherine and Diane delighted in, she waited the time till some worthy suitor should claim her hand. Asked when she wished to marry, she said, 'When the king, my brother, cares to find me a spouse worthy of our house, I shall accept the person of his choice[1].' The Valois women were better than the men, and L'Hospital was fortunate in the esteem of the two princesses whom he had the honour to serve. Her reputation for piety travelled further than her immediate circle, and Flaminio, the Bolognese[2] scholar, dedicated his best and latest religious poems as a thank-offering to the princess who had praised his work. The study of Greek and Latin was fashionable among the princesses of the time. Vives in England and Denisot in France were proud of their illustrious pupils; none gave more encouragement to the new learning than Margaret, or penetrated further into serious study. Amyot, the prince of sixteenth-century translators, read Plutarch with her, producing the work which still remains a monument of the best prose of his time: Barthélemy d'Elbène discussed the subject-matter of Aristotle with her.

Her piety.

Illustrious lady scholars.

Margaret's encouragement of learning.

The chancellor of such a princess was in some sort a president of an academy of *belles-lettres*, and L'Hospital found himself deciding questions of taste and erudition much more to his liking than the selfish pleadings of the law-courts. He commends to Charles of Lorraine the verses of a young scholar and a tragedy of Agamemnon imitated from Seneca. Charles had entered upon the heritage of the lettered cardinals of the previous reign, and was ready to patronize rising talent. His ability and rapid advance into power portended an uncommon destiny in company with his brother Francis, who was winning his laurels in the defence of Metz, blockaded by Charles V. The young soldier, now Duke of Guise[3], had displayed as

Charles of Lorraine.

[1] Tommaseo.

[2] Marc. Ant. Flaminii, 'de rebus divinis Carmina ad Margaritam, Henrici Gallorum regis sororem.' Lutetia, 1550.

[3] Claude died in 1550.

much wisdom in restraining the excesses of his soldiery, and in relieving the terrified inhabitants, as he had bravery in defence of the city, 'Victa auspiciis Enrici regis[1].' The virtues, which in his father had been sullied by meanness, shone with undimmed lustre in the young duke. The position for which Claude had so strenuously worked was occupied as of right by Francis, who, secure of his station, could afford to disregard rivals and even encourage aspirants to power not likely to enter into competition with him. Brave in battle, scarred in the cause of France, he was esteemed in the language of the time as 'slave to naught but honour and glory.' Really, he was in the field, what his brother was in council, devoted body and soul to the advancement of their house. The expedition against Metz was less inspired by the desire to advance the power and dominion of France than to keep the heritage of the young Duke of Lorraine intact from the threatening hand of the emperor. The talents of the Duke of Guise imposed a policy upon Henry II, and gave a strength to the house of Lorraine which formed the subject-matter of quarrel during two subsequent centuries of French history.

Francis of Guise a proved soldier.

The 'Lorraine' policy.

L'Hospital praised the conduct of the Duke of Guise at Metz; he had afterwards, in the responsible position of first minister of the king, to examine closely the pretences of the house of Lorraine, and to formulate the French claims to suzerainty. But he was only following the general fashion and the common belief in ascribing praise to the rising statesman. Cardinal du Bellay had returned from Rome to endeavour to mount again to favour by cultivating the goodwill of Charles of Lorraine; deceived in his hopes, he retreated once more beyond the Alps. L'Hospital had, at least, the excuse of veracity in flattering the Guises[2]; his respect for the young duchess was sufficient to account for much of his praise.

[1] Ed. 1825, p. 153. 'De Meti Urbe Capta.'

[2] Dufey says, p. 80: 'Il ne pouvait oublier qu'il devait au cardinal

The Guises appreciate L'Hospital's encomiums.

The Guises were not insensible to the scholarly advocate who paid such well-turned compliments to their dignity [1]. Charles of Lorraine learned that an appointment of master of requests was vacant, and besought the king to give it to L'Hospital. The request was granted, and L'Hospital learned at the same moment of the vacancy and his appointment to it. His long-desired freedom from the routine of the councillorship, which he had been obliged to retain even when appointed to the office of Chancellor to the Duchess of Berry, accentuated his gratitude, and he thanked the cardinal for rescuing him from the tortures of his legal inferno.

Master of Requests.

His successor, Philippe Hurault de Cheverney, gives in his memoirs an account of his reception to L'Hospital's vacant councillorship [2]. He says nothing of his predecessor's appointment to the mastership, and the name of Margaret's chancellor does not appear as master upon the official lists of parliament, but acts exist in which he receives the style and title of 'maître des requêtes'; and de Thou, who is to be trusted, gives him the designation [3].

de Lorraine le retour de son père et le sien : mais là s'était bornée la bienveillance de ce prince, et si depuis son rappel en France L'Hospital avait occupé de grands emplois, il n'avait dû son élévation qu'à son propre mérite et aux soins de l'amitié.'

[1] Cf. the pretty passage in which he describes the young duke after Metz:

'Ecce autem sublimis equo, spoliisque superbus
Caesaris, ingreditur iuvenis, quem Gallica turma
Nobilium sequitur, paribusque exercitus armis
Et captas aquilas minioque rubentia regi
Signa refert. Manibus date, cives, lilia plenis,
Et lauroque apioque implexas ferte coronas.' Ed. 1825, p. 152.

'Tum Blesis Erricus erat, quem scilicet ultro
Laetus adis : facilemque rogas non ante rogatus
Rescivi factum ex aliis, ignarus et absens.' Ed. 1732, p. 207.

[2] 'En cette intention se rencontra, par bonne fortune, que messire Michel de L'Hospital, qui depuis fut chancelier de France, se voulut démettre de son estat de conseiller d'Église au dict parlement pour prendre la charge de chancelier de Madame Marguerite de France, sœur du roy Henri II.' Cheverney, *Mémoires*, ed. Michaud, p. 465.

[3] 'Extraordinem.'

The point is important, as this office was a necessary step to the higher appointments in the state. A curious squabble arose on L'Hospital's retirement from the councillorship on account of his retaining the purchase-fee of the office, though the sum was accredited to the royal purse. His fellow magistrates, headed by the illustrious and virtuous Séguier, attacked this fiction, which, under pretence of a payment to the royal treasury in a form of tax, really amounted to the selling of an office by the magistrate who received the money. In addition to this, the incoming magistrate could, under certain circumstances, claim back his payment from the treasury. As his money had never reached the treasury, he was drawing a sum from the royal estate for which there was no balance. Séguier was right in his contention, but the king, as in all the parliamentary struggles, gained the material point, and parliament was left with the barren victory of passing a remonstrance.

Parliament and privilege.

The hostility to L'Hospital, caused by the action of the king in this matter, became accentuated by his share in the passing of the Semestrial Edict, a short-lived, though cordially-hated measure. This appears to have been one of the reforms meditated by Charles of Lorraine. The judges complained of being overworked; what better expedient could be devised than to give them a long vacation of a half a year and increase their number? The purchase-money would swell the king's revenue, the judges would attack their work fresh from a long rest, and the public would be better served. This sophistry was further commended to the public by the suppression of the presents, *épices*, given to the judges after a legal trial by each side. At the same time, the costs of entering on an action were increased, and the proceeds given to the state. The judges, very moderately paid, received no equivalent for their vanished honorarium, and the public found it more expensive to obtain a hearing.

The Semestrial Edict.

The 'Epices' suppressed.

A storm of resistance was raised. L'Hospital's share in the suppression of the *épices* was undeniable. The angry lawyers reproached him with all the mischief caused by the semestrial edict, which was doubtlessly an expedient of the cardinal. The poet Dorat on the court side, and La Boétie on the side of the generality, immortalized the struggle. After three years the parliament regained their normal methods, and the detested ordinance was suppressed. Its worst result was the alienation of L'Hospital from a body that should have been his strongest support. He appreciated the loss of touch with a society that he knew so well, and whose greatness he had so often helped to maintain. His feelings reveal themselves in a letter to Olivier, where he takes all responsibility for the suppression of the *épices*, but makes no mention of the unfortunate semestrial. 'They have renewed,' he writes, 'an ancient law which forbids judges to take a payment twice over. I am credited with its authorship; hence all this tempest of abuse, but I am far from attributing its composition to myself. This heaven-sent law, which restores honour to an illustrious society, has not been my invention, though I applaud its action. Oh, Senators! are you so attached to sordid gains as to turn your ear to the outcry of a few wretches, notorious for their extortions? Can you attack your old colleague, and forget the innocence of his life? I call you to witness, all of you whose labours I have so long shared. You know that my conscience bears no stain. You know that I have always been unmoved by enticements or by fear; faithful to the worship of Astrea, I have always bowed before her shrine with pure hands and heart without reproach. It is hard for me, Olivier, to have to applaud myself in making my defence[1]. Envy does not

L'Hospital alienates the parliament.

His letter to Olivier.

[1] 'Ecce tibi vetus est lex instaurata, liceret
Nummos ne capere, et duplicata salaria lectis
Iudicibus: quae lata meo quia credita suasu
Lex erat, invidiae flammis crudelibus arsi.

spare those whom kindness has borne to a high sphere in honour, that is the true reason of this malicious outcry. My enemies have gained the ear of the young men who have not known my toil in the past.' To this Olivier answered, praising the good sense of his friend and lauding his own good fortune at being compelled to remain in obscurity and quiet from which the gold of Attalus should not tempt him [1].

Olivier's reply

The influence of the Cardinal of Lorraine had not produced very good results in this instance, and possibly the times were not ripe for his changes, nor for the better reasoned efforts of L'Hospital. The parliament was certainly too unwieldy, and attempted too much. L'Hospital wished to separate the administrative functions from the legislative, giving, conformably to the political theory of the time, greater powers to the king. But it was not so much the contemplated change that alienated men from him as the sentiment of loss of prestige or profit. Thus L'Hospital estranged the parliament from himself without succeeding in reform, and Charles of Lorraine created offices which annoyed certain of the feudal lords by apparently or really curtailing their privileges, while he still left them their power to oppose him. Both these forms of too rapid advance were in the near future to produce results of anything but a peaceful nature.

Consideration of the attempted reforms.

The king had soon an opportunity of showing his regard

> Aera sibi, et multos prius usurpata per annos
> Commoda, lege nova clarissimus ordo fremebat
> Imminui: tantam ipse mihi non arrogo laudem,
> Haec me glorier ut primum vidisse.'
>
> *Ad Fr. Oliverum*, pp. 209–10, ed. 1825.

[1] 'Caeterum, tuam illam epistolam legens, quam ingenti voluptate sum perfusus, haud facile dixerim, quum tu mihi meam felicitatem poneres ob oculos, qui a freto illo aulico, procellis, ventis, tempestatibus continuis inhorrescente, in hunc portum, in hanc tranquillitatem devenerim, a qua, vel Attalicis conditionibus nunquam dimoveri sustineam. Hunc agellum, qualis qualis est, nec Lydiis regnis permutaverim.' Letter of Francis Olivier to L'Hospital. Dufey, vol. iii, p. 214.

for L'Hospital's talents and zeal, by promoting him to a more important office than any yet filled by him. Henry II had multiplied expenses without gaining the people's love or any substantial return for his outlay. Barren wars and greedy favourites exhausted the royal purse. The people had given signs of revolt [1], and though held in subjection by cruel measures, sullen murmurs showed the irritation rankling beneath the covering of an imposed peace. A firm hand was needed to regulate the payments and receipts from the exchequer; it was impossible to check the gifts and perquisites of favourites, but they might at least be regulated. The semestrial edict applied to the court of exchequer, as well as to the other legal courts. The two divisions assembling for six months alternately, with six months' vacation, had only one president. Thus arose a danger of want of continuity in the executive. To remedy this a new office of premier president over both divisions was created, and L'Hospital appointed to the post. The letters patent appointing him are of interest by reason of the dispensation from sitting continuously on the score of health. Six months, three in each half year, were required of him, the remaining time was left to his honour to do what he thought best. L'Hospital's appointment produced no weighty remonstrance from the members of the exchequer, possibly the existing premier, Antoine de Nicolai [2], accepted L'Hospital in much the same way as the commandant of a garrison accepts a war office official arriving with sealed orders. There was not much fear that any chamber connected with L'Hospital would suffer in dignity or importance.

President in the Chambre des Comptes. Sept. 8, 1555.

L'Hospital's recognition of the king's choice ook the form of congratulations to him after the battle of Renty, gained by the Duke of Guise. His theories of kingly leadership, and his limits to royal power, are expressed in

[1] e.g. the Gabelle rising in Bordeaux.
[2] Dupré-Lasale, p. 241.

the words, 'You will deserve victory as long as you refer your victories to God, of whom you are only the instrument[1].' This was by no means the vein of a mere court flatterer, but it is the language of a politician sure of his position, who believes in royal authority properly applied as the best remedy for the maladies in the state. L'Hospital, at the time of the fall of Marienbourg and the victory of Renty, was respected rather than loved by the parliament, honoured by the sister of the king, admired by a large circle of poets and scholars, consulted by the powerful cardinal, and in favour with the king.

Feb. 6, 1555. Parliament resents L'Hospital's appointment.

Parliament, still smarting from the semestrial edict, made some show of opposition to the new appointment, but so tardily and half-heartedly that their remonstrances were not listened to. L'Hospital's work with the court of exchequer was in the nature of an experiment. The court was not abusing its privileges, and there was little need of reform. It seemed as if the new president were seeking for some means of strengthening the royal power and making it able to act more promptly and without the delays due to parliamentary intervention. One result of his connexion with the finances was the stiffening of the court against the demands of parliament. The latter claimed to be the supreme court, L'Hospital obtained equal sovereign rights for the chamber of finance in criminal cases affecting their jurisdiction. Beaten in this, the parliament had to submit to another narrowing of their privileges. For a long time they enjoyed the right of receiving their emoluments from the exchequer on simple presentation of a *debentur*, stating the work done and asking for the appointed salary. L'Hospital demanded that these should be countersigned by the president of the court to which the judge belonged.

L'Hospital fights for the privileges of the Chambre des Comptes

[1] 'Vinces dum coelo tribues non invidus auctor
Vincendi causas: dum quae geris omnia magnis
Diis accepta feres, pugnando et vincere solos:
Teque manus illis tantum praebere ministras.'
Ed. 1825, p. 157.

This was regarded as an indignity. The parliament rose in arms against the proposal; they pleaded immemorial custom and written ordinance; Séguier spoke in their name and behalf; the Cardinal of Lorraine was gained to their side; letters patent were dispatched to the exchequer signed and sealed, affirming the superiority of the decisions of parliament over the rules of the exchequer, when L'Hospital played his trump card of royal authority, and induced the king to annul the decree. By his address and firmness L'Hospital had gained for the *Chambre des Comptes* the power of a supreme court, hitherto enjoyed only by the parliament. The question of precedence being raised in the funeral procession of the Cardinal of Bourbon [1], L'Hospital again supported the exchequer court against the demands of the parliament, and again won the day. All through this struggle against the first judicial body of the realm L'Hospital relied on the royal authority as his ultimate appeal. The time came when the royal authority in the hands of a feeble prince and a vacillating woman could not answer that appeal. The failure to obtain help from the great judicial authority in the time of need has been asserted by the friends of parliament to be one of the causes of the want of success attending L'Hospital's noble efforts. But this is a statement which cannot be admitted without much qualification.

and is victorious.

Religious divisions in the parliament.

Parliament was not free from the growing dissensions which were beginning to range Frenchmen throughout the country into two decided camps. It is, however, certain that in 1555 a desire for kind treatment of dissidents prevailed to such an extent in parliament as to cause the king and the ultra zealous of the Catholic party at Court to propose two edicts forbidding appeal to the parliament and establishing ecclesiastical courts to try cases of religious defection. Séguier, in a magnificent speech, procured their rejection. His arguments were based not only on the

[1] 21 Mars, 1557.

privileges of the parliament, but also on the feelings of love and mercy inherent in Christianity. But a far different spirit animated others in the magistrature [1] only too ready, from personal motives, to justify the cruellest persecution. This could not have escaped L'Hospital's notice, and he sought to strengthen the power of other important bodies to counterbalance greed or cruelty masking as religious zeal.

Influence on learning.

Concurrently with all this promotion and work done in various courts, L'Hospital was exercising a strong and encouraging influence on the movements in law and literature, so creditable to France in the sixteenth century. The University of Bourges, founded by Louis XI, was growing into robust manhood, fed by the new ideas which it was so well able to seize and to assimilate. The Princess Margaret continued the royal support always afforded to the seat of learning in the capital of her duchy, and found the best of coadjutors in her scholarly chancellor. The Greek chair, founded in 1529, was later filled by Jacques Amyot [2] for twelve years. But it was in the study of law that Bourges excelled at a time when France was incontestably superior in legal studies to any other country in Europe. Alciati, invited to Bourges by Francis I, revolutionized the legal teaching of the age. Instead of following the difficult and often misleading glosses of Bartholus, and the other mediaeval masters of legal science, he went straight to the long-neglected texts, and brought to bear upon them the more finished scholarship and wider knowledge of his own times.

Bourges.

Greek and Amyot.

Alciati and law.

L'Hospital had early given his adhesion to Alciati's methods, and had lectured in the spirit of the great master

[1] 'En faisant en ce temps-là de rigoureuses recherches et poursuittes contre ceux que l'on soupçonnait être huguenots et force conseillers du dit parlement estans compris en ce malheur . . . j'avançay en cette occasion mon rang.' *Cheverney*, ed. Michaud.

[2] Jacques Amyot, the translator of Plutarch: 'Nous autres ignorants étions perdus,' says Montaigne, 'si ce livre ne nous eût retirés du bourbier: sa mercy nous osons à cette heure et parler et escrire.'

Calvin and De Beze at Bourges.

at Padua. Among Alciati's pupils were John Calvin and a gentleman of Vezelay, Theodore de Beze[1], whose unruly life had caused his expulsion from the University of Orleans. Calvin's influence over De Beze won him to the new doctrines in religion, and for a time Bourges was an active centre of Protestant propaganda among the students who came from all parts to attend the law courses. Baron, a successor to Alciati, continued the new method of teaching with such success as to convert the most conservative Bartholists, and the Chancellor of the Duchess of Berri on his way to the Grands Jours of Riom, in 1546, had heard a lecture given by the popular teacher. L'Hospital was then meditating the composition of his work on Roman law, which was to be the fruit of his studies and legal experience. He now hoped that a clear exposition of the text in the lecture-rooms of the University of Bourges would do much to remedy the interminable disputes on points of legal interpretation which wasted the time and tried the patience of those attending the law-courts. Such a knowledge would simplify the by no means easy task of administering a system of laws containing elements so diverse as Roman texts and the customs and local laws, which contradicted and clashed with one another[2]. He mentioned his own scheme to Olivier, and showed some portions of it to Bartholomew Faye, but was again unable to follow it up owing to pressure of work.

L'Hospital visits Bourges in 1546.

His constant sympathy[3] with every well-directed effort in the same direction was demonstrated by his kindly recep-

[1] Author of an *Histoire ecclésiastique des Églises réformées au Royaume de France.* With Farel and Calvin he is one of the most striking figures on the Protestant side in the troubles of the times.

[2] 'If one looks at the great collection of French Custumals drawn up by royal authority in the sixteenth century and published by royal command, he will see such an array of feudal tribunals that there seems to be almost no room for the state courts. The volumes of Bourdot de Richebourg read like a denial of state justice.' Jenks, *Law in the Middle Ages*, p. 130.

[3] See p. 31 supra.

tion of a work by Francis Connan[1], in the preface to which Faye, the editor, mentions L'Hospital's approval of this attempt and his intention to continue the plan. In 1550, in conjunction with his friends—Du Faur, Tiraqueau, and Rançonet—L'Hospital assisted in a decision awarding the first chair in law in the University of Orleans to Anne du Bourg. Thus in every way L'Hospital was well fitted to select a successor in the lectureship at Bourges on the death of Baron. His choice fell on a Breton named Francis Duaren, a pupil of the illustrious Budaeus. Duaren associated two jurists of similar views with his own, Bouguier and Doneau, in the work of the university; crowds of students flocked to the schools, and the reputation of the university seemed made when the jealous temper of Duaren provoked a spirit of faction between his students and those of Baudouin, an able teacher, afterwards associated with Francis Hotman at Strassburg. The arguments of the students were not confined to words, and many a bloody cockscomb revealed the mover and opposer in the scholastic strife.

Selects a lecturer in law for Bourges.

Student riots.

Duaren's incompatibility of temper had demonstrated his limitations as a teacher, and L'Hospital looked around for some able mind of wider range, skilled not only in the interpretation of legal texts, but also cognizant of the history and manners of the nations to whom the various laws applied. The idea of such a liberal scheme was praiseworthy, the choice of the man to accomplish it glorious.

Jacques du Faur, president of the court of inquiries at Paris, had become acquainted with a young Toulousian named Cujas, a pupil and admirer of Du Ferrier. Cujas was the son of a poor weaver, but, endowed with extraordinary talents, was professing law in the university of his native town. Compelled by jealousy and dissensions in Toulouse to leave the Palladian city for Cahors, he

Cujas.

[1] Fr. Connani, *Commentaria iuris civilis*, Parisiis, 1553.

found himself followed by the whole of the younger members of the Du Faur family. Jacques du Faur, the elder, was at Toulouse at the time of his departure. He measured the greatness of the man lost to his native town, and said, 'Quem praesentem contempsistis absentem requiretis.' Cujas himself states that he paid visits to Paris more than once, and his friends at Paris—Jacques du Faur and Arnould du Ferrier, the old companions of L'Hospital at Padua—would be sure to bring about a union between the two scholars. Cujas was invited to come to Bourges by L'Hospital, who made the necessary arrangements with the university authorities. The treatise on Ulpian, written by Cujas, was the admired theme of every conversation among men of the legal profession. His reputation had flown to the four corners of France, but at Bourges the jealous professors received him with open hostility, and his installation was due entirely to L'Hospital's powerful intervention. A letter from a young student to L'Hospital shows the appreciation in which Cujas was held by his pupils; his works published at this time confer a lasting honour upon the law school at Bourges, but his gentle mind could not endure the attacks of his colleagues, and after two years of splendid work he yielded to the cordial invitation of the authorities in the University of Valence, and accepted from them a professorship.

Invited to Bourges by L'Hospital.

The death of the Breton Duaren furnished L'Hospital with the opportunity of recalling Cujas to Bourges. He responded to the affectionate invitation of the chancellor and returned to Bourges, where his courses, now held in tranquillity and aided by the complementary lectures of Doneau, placed the coping-stone on the edifice of the science of Roman law. L'Hospital's contemporaries recognized his contribution to the success of the undertaking, and verses, letters, and applications for advice overwhelmed him.

The result.

Roman law was established as an academical study, but as the national language and the national spirit developed men began to realize that the real laws regulating civil government were home-grown and sprung from the soil. Social relations were really controlled by the edicts[1], ordinances, and customs which defined the daily routine of intercourse and government. Realizing this, L'Hospital conceived the grand design of constructing a national system of French law. The lines upon which he intended to work were sketched by Hotman[2] under his supervision, but his efforts were rendered useless by the terrible strife that consumed France in the wars of religion.

National law.

The new learning of the Renaissance lent its aid to the improvement and reform of the national literature. Deep draughts from the ancient sources produced a feeling of dissatisfaction with the charming badinage and thumbnail wit of Marot. Want of subject could not be atoned for by tricks of rhyme and syllabilization; ballads 'made to a mistress' eyebrow' admitted of little variety; comedy chose its weapons from the armoury of buffoonery and indecency. The old epic poetry had vanished with the fighting poets who created it; the later story-tellers, with their lengthy details, had no place in the altered world of thought; nor was there anything worthy of replacing either when Joachim du Bellay rode full armed into the lists and issued his *Défense et illustration de la langue française*. 'The French language,' he said, 'poor as it now is, merits not to be despised; how many great writers have excelled therein: it is capable of equalling the Latin or the Greek. But to do honour to such a language think not that natural genius will suffice; painful travail and

National and vernacular literature.

Decadence.

Joachim du Bellay and the *Défense*.

[1] The famous ordinance of Villers-Cotterets established the rule that all matters of legal procedure should be issued, registered, and delivered to the parties in the mother tongue and not otherwise. 'En langage maternel françois et non autrement.' See reference to Du Moulins, p. 36.

[2] F. Hotman, *Anti-Tribonien*, published 1567.

lengthy vigil are demanded. . . . We need loftier themes drawn from the antique stories. Let us get back to the authors of Greece and Rome[1].' Du Bellay was at the time of his proclamation a student at the college Coqueret, presided over by Dorat, the friend of Jean Morel. Among his companions was a Pierre Ronsard, the son of a Vendomese gentleman. Ronsard had served as page to the Duke of Orleans and to James of Scotland, the husband of Mary of Guise. Afflicted with deafness resulting from a long illness, he threw himself with ardour into the classical studies inaugurated by Dorat, and issued a sheaf of poems in the same year as Du Bellay's *Défense*. His work was a challenge to the whole school of Marotic writing, and in the inevitable breaking of lances that followed he withdrew victor. Controversy has always existed as to the merits of his work from his own day to the present. According to Fénelon, he erred in the extent of his reforms; his bold additions to the vocabulary were somewhat too hazardous. Another great writer, speaking of Ronsard, remarks: 'The men who make reforms are always despised by those who profit by them[2].' Luckily for the bold innovator, L'Hospital undertook his defence against the rival poets of the Court. Mellin de St. Gellais amused the royal circle with parodies of the new poet's strange expressions, and Ronsard writhed in the talons of his hawk-like adversary[3]. L'Hospital published in elegiac verses an apology for Dorat's pupil[4]. A certain flavour of attack mingled with the defence, and literature might have had a longer authors' quarrel to describe if the Princess Margaret, influenced by L'Hospital, had not come

Ronsard.

Opposition to Ronsard.

L'Hospital's support.

[1] 'Sus donc! sus aux anciens.'

[2] Guizot, *État de la poésie en France avant Corneille*, quoted by Sainte-Beuve, *Ronsard*, xxxix.

[3] *Les tenailles de Mellin.*

[4] *Elegia nomine P. Ronsard adversus eius obtrectatores et invidos.* This poem, printed in the *Carmina Miscellanea* of 1732, does not occur in the 1825 edition.

to the rescue of the new school. A truce was made, and L'Hospital had the satisfaction of seeing the two rival schools join in friendly emulation to adorn their common language. The new company shone as the Pléiade with undimmed lustre for half a century. Ronsard had a long and superb triumph, and an esteem from his royal patrons outweighing all his early sufferings at his rivals' hands. The unfortunate Mary Stuart sent him a silver trophy from her prison, and Elizabeth made him a present of a diamond of great value. He was not a very great poet, but merits consideration due to honest artistic labour and successful result.

Esteem for Ronsard.

Ronsard's gratitude to L'Hospital was paid by the poetic tribute of a Pindaric ode: Ronsard's friends claim for him the name of the Pindar of France. It is a long and sufficiently wearisome poem of some 800 verses, displaying, on an extremely artificial ground, a warm appreciation of the lawyer-poet, who in equity, justice, and truth surpasses the ancient race. In the strophe depicting the fatal sisters weaving the web of L'Hospital's life, Ronsard describes Clotho, as she sits plying the shuttle and murmuring the nine-fold charm,

Ode to Michel de L'Hospital.

'JE RETORS LA PLUS BELLE VIE,
QU'ONQUES RETORDIRENT MES DOIS[1].'

Tribute.

Ronsard was a master of courtly phrases; he could turn a compliment for Catherine of Médicis or write graceful couplets to Henry III; but he has nowhere in any line of his writings surpassed this undoubtedly genuine tribute to the worth of a great man.

Political events were moving in rapid succession to effect a great change in L'Hospital's fortunes. Under the

External politics.

[1] '... il est
L'ornement de notre France
Et qu'en fidèle équité,
En justice et vérité
Les vieux siècles il devance.'
Ode à Michel de L'Hospital, *Ronsard.*

influence of Charles of Lorraine the king had formed an alliance with Paul IV to check the power of Philip II before he could make his position secure on the throne of Spain. Philip answered by attacking France on the north, and his ally, Philibert of Savoy, achieved a signal victory [1] over the Constable Montmorency, who had advanced to relieve Coligny, beleaguered in St. Quentin. 10,000 of the French army were left on the field, and 4,000 were taken prisoners. In the disastrous results and in the incompetence of the French leaders the defeat had only been equalled by Poitiers or Agincourt. Charles V, from his retreat at Yuste, asked: 'Is my son at Paris?' And the question was on all lips. Philip II preferred, against the advice of the Duke of Savoy, to linger before St. Quentin, and thus gave the country some little time to recover from the terrible blow.

St.Quentin.

Coligny proved his mettle by a heroic attempt to hold St. Quentin, with 700 men, against overwhelming odds, and without supplies. He held Philip engaged for seventeen days, every moment of which was of vital importance to his country, and was taken prisoner when the town fell to a savage assault. In his prison, forgotten by the country for which he had dared so much, the character of his religious views underwent a great and wonderful development. He issued from it the man whom we shall meet on the field of battle fighting as dourly for conscience' sake as he had done for his military honour.

Coligny

in prison.

The wholesale capture of the French military leaders cleared the field of almost every rival to the glory of the already powerful house of Guise. The conqueror of Metz and Renty received the title of lieutenant-general, with almost unlimited powers. Fortune was kind to him. With commendable rapidity he moved to Calais, reached the town on New Year's day, and in less than a week had taken the main defences. In three days more he took the

Francis of Guise has a clear field to display his military talent.

[1] August 10, 1557.

town which for three hundred years had mocked the efforts of the best soldiers of France. A load of shame was removed from the bosom of his country, and a terrible blow given to the English pride. Just at the moment when France lay so low as to lose reverence from every quarter, this man, chosen by the king, poured in the oil and balm of an unprecedented compliment to the national pride. L'Hospital was exultant; his charming eulogies on the taking of Metz were amply justified by this capture of a citadel on whose walls was engraved the legend, 'The Frenchman shall not take Calais by storm till iron or lead shall swim like cork[1].' As president of the Chambre des Comptes, he felt glad that the funds voted by the assembly of 1557 had done so much. Charles of Lorraine had inspired the country with the patriotic desire to subscribe to the expense of war, his brother had redeemed Montmorency's folly. It was a great occasion in the history of France, and Guise deserved his praise[2]. Calais.

By the taking of Calais Henry gained a town; by the marriage of the Dauphin to Mary of Scotland he gained

[1] 'In foribus summis legeretur marmore duro
Incisum carmen (valet id sermone latino):
TUM DEMUM FRANCUS PREMET OBSIDIONE CALETUM,
QUUM FERRUM PLUMBUMVE NATABIT SUBERIS INSTAR.'
De Caleti et Guinae Oppidorum Expugnatione, p. 241.

[2] 'Ac Deus is, quicumque tibi fuit istius auctor
Consilii, monstravit iter, ducibusque praeivit
Idem, Errice, tuis, donec res ordine gesta est.
Idem, multorum quum posceret aera dierum
Miles inops, et signa sequi se posse negaret,
Exhausto penitus belli per tempora fisco,
Hunc animum in patriam dedit, hanc tibi, Carole, mentem,
Ut tu vas sponsorque rei communis in urbe
Parisia biduo omne bonis a civibus aurum
Acciperes, quae mox divisa pecunia fratri,
Morigeros comites et ad omnia iussa paratos
Reddidit. His opibus pulsi cessere Britanni
Littoribus nostris, maria ultra caerula ponti.
Quas ergo tot opumque Deo tantaeque datori
Laetitiae nobis fas est persolvere grates?
An delecta boum, pecudum vel corpora centum
Illius ante pias grati mactabimus aras?'

another country, and Mary's claims to England with it. The significance of this alliance to the aggrandisement of the house of Guise, who now saw a grand-daughter of Claude within reach of the French throne, is too evident to need much comment. Thionville, to the north of Calais, yielded to the same fortunate soldier, but though these gains were something more than a *succès d'estime*, reverses in other quarters, and the real damage done to French resources, favoured the desire for peace. The terms were settled at Cambrésis[1] and show by the concessions of France how deeply she had suffered. L'Hospital protested against the peace in a long epistle to Jean de Morvilliers; he pleaded the resolute state of the country, which needed only sound management to present a determined front. He was 'not indisposed to peace, but this was a shameful compact unworthy of the country to which he belonged. The peace required was the settlement of religious and civil differences which disturbed the health of the state. The wishes of the Guises were opposed to a sudden peace, and the country owed much to them; it should show its gratitude by respecting their opinions.' This perhaps reveals too much trust in the duke and cardinal, but at the present juncture their interests were decidedly the interests of France, and their alliance with the royal house made them the best supporters of the king's power.

Thionville.

The peace of Cateau-Cambrésis criticized.

Henry's desire for peace was influenced by some sort of a wish to restore order in the religious disputes which, owing to the growth of Protestant teaching, were becoming too important to be ignored. Even in the parliament judges were passing decisions manifestly against the stringent edicts directing persecution. Charles of Lorraine had long ceased to patronize the incipient attempts at reform, and urged persecution. The idea of tolerance existed only in its faintest germs. The savage method of struggling and fighting till the weaker party was annihilated approved

Cessation of war with Spain the cause of internal troubles.

[1] April 3, 1559.

itself to most men. The estimate of the power to be crushed eluded their judgement. Ivry came after St. Bartholomew, and the Invincible Armada demonstrated that the great scheme of the Spanish king contained a large portion of failure.

The 'Mercuriale.'

Henry determined to coerce the parliament in person, and attended at the famous Mercuriale held in the convent of the Augustins. The prime instigators of this *lit de justice* were the Cardinals of Lorraine and of Guise, who sat next to the king during the audience. Two of the councillors, Anne du Bourg and Louis du Faur, both learned and eloquent speakers, attacked in bold terms the whole principle of punishment and coercion. Others held the same language. The king was displeased beyond measure, and ordered the arrest of Du Bourg, Du Faur, and other members, vowing in his anger that he would see Du Bourg die with his own eyes[1]. A week later he died, suddenly pierced in the brain at a tournament by the lance of the Count Montgomery, who had arrested the Huguenot councillors. The Huguenots saw in his sudden death the avenging hand of God. Brantôme thought that the principal reason of his premature removal—'il mourut jeune et ne devrait mourir encore'—was to open the eyes of the French to their misdeeds punished by the turbulence after his death. His successor was a delicate and timid boy.

Persecution of Huguenots.

Death of Henry.

Weakness and youth of successor.

[1] 'Et demeura le roi Henri tellement animé et courroucé, qu'entre autres propos il dit qu'il verrait de ses deux yeux brûler ledit du Bourg.' Laplace.

V

The Savoy marriage.

THE tournament which ended so tragically for Henry II was held in honour of the wedding of Elizabeth, the king's daughter, with Philip of Spain, and of Margaret of Valois, Duchess of Berri, with Philibert Emanuel, Duke of Savoy. The marriages were a result of the negotiations of Cateau-Cambrésis. and that of Margaret and the Duke of Savoy must, on L'Hospital's evidence, be pronounced a happy union. Accompanied by her chancellor, Margaret journeyed to Savoy by way of Bourges, Lyons, Marseilles, and the lovely approach by sea to Nice[1]. L'Hospital, in a long but not uninteresting epistle, described the journey to his friend, Jacques du Faur ; the little word-picture of Avignon is a happy effort. At Marseilles the wedding *cortège* was met by the Duke of Savoy, eager to escort his wife to his dominions. L'Hospital was at Nice when word came to him in April of 1560 that Olivier was dead, and the queen mother had appointed him Chancellor of France.

Olivier recalled.

Olivier had been recalled by the Guises at the accession of Francis II. Neither duke nor cardinal had any affection for the austere lawyer, but the cardinal thought it a politic move, and the Guises could afford to be generous. This generosity did not extend to members of the new religion, and Olivier reluctantly found himself associated in the condemnation of Du Bourg, who was hanged and burned in the Place Maubert, and in the edict punishing worshippers in illicit religious assemblies with the pain of death. The troubles and anguish of mind caused by the tumult of

Execution of Du Bourg.

[1] 'Hic dux Emanuel progressus ab urbe Nicaea
Occurrit dominae.' Ed. Dufey, 1825, p. 380.

Amboise and its terrible repression were too much for him. He died in agony at the end of March with bitter reproaches against the cardinal.

The tumult of Amboise.

The Amboise conspiracy was an organized and far-reaching attempt of the anti-Guise faction to carry the king away from Blois and out of the power of the cardinal. Voltaire attaches a phenomenal importance to this movement as the first real conspiracy, with all the approved accessories of the invisible arch-conspirator and the wide-reaching subterranean influences[1]. It certainly had its silent captain, of whose knowledge and complicity there can be no shadow of doubt, but against whom proofs were not sufficiently strong to ensure conviction. The nominal head of the disturbance was La Renaudie, a needy and impetuous adventurer, ready to risk his head in any game big enough to wipe out, if successful, the memory of a conviction for perjury awarded him by the courts of Dijon. The Protestants indulged in much 'Sword of the Lord and Gideon' talk, and were ready to accept any ruffian who invested himself with their shibboleths and accepted the hardships of their dangerous worship.

The silent captain.

The political leaders had always employment for an unscrupulous sword or pen. Catherine de Médicis, who, as Brantôme says, 'would always know everything,' had complete knowledge of the attempt, and wrote from Blois to the Duchess of Guise advising her to avoid a visit as the roads were full of armed bands[2]. A few days later

[1] 'Il y eut dans cette conspiration une audace qui tenait de celle de Catalina, un manège, une profondeur, et un secret qui la rendait semblable à celle des Vêpres siciliennes et des Pazzi de Florence: le prince Louis de Condé en fut l'âme invisible, et conduisit cette entreprise avec tant de dextérité, que quand toute la France sut qu'il en était le chef, personne ne put l'en convaincre.' Voltaire, *Essai sur les mœurs*, p. 311. Agrippa d'Aubigné says his father had in his hands the originals of the conspiracy of Amboise, and one of the pieces bore the seal of the Chancellor L'Hospital. Jean Salviati proposed blackmailing L'Hospital, and D'Aubigné burned the traces. (The dates are against this.) *Mémoires*, Charpentier, pp. 24, 35.

[2] The letter is given in La Ferrière.

La Renaudie.

Francis was escorted to Amboise, and the plot collapsed. La Renaudie plays a local Guy Fawkes's part in the books read in the primary schools of the department of Indre-et-Loire. He was spared the malignant and horrible retribution exacted from the armed conspirators by the cardinal and his brother, whose gallant bravery seemed to have turned into uncontrolled ferocity. He fell, shot in a skirmish, but his unhappy accomplices, when taken, suffered all the horrors of a military execution. Suspended from the battlements, drowned in the river, shot before the walls, the Huguenots carpeted the streets with their bodies, and filled the gutters with their blood. Condé, the silent captain, had to draw his sword against his own partisans. Castelnau, a gentleman who in times past had risked his life for the royal house, was slain in contempt of a promise of safe conduct. The scaffolds were dressed as if for a tournament, and thousands flocked to the town to see the sight. The Court looked on from the windows of the outer bailey [1], with cruel curiosity patronizing this specimen of the justice of the times. One by one, the victims mounted the platform, singing a verse of Marot's translation of the psalm 'God be merciful unto us and bless us,' and, before the axe fell, uttering with their last breath the formula, 'Je suis Chrétien,' which took the place of the orthodox shriving and absolution.

The terrible legacy of bitterness resulting from a chastisement so atrocious, which separated Frenchmen into two camps more hostile than those of the Romans and Carthaginians, may be measured in the vivid words of D'Aubigné [2]. The Parliament of Paris, cowed by the executions following the *mercuriale*, or spying some possibility of personal or corporate advancement, flocked like the senators under Augustus to render homage to the cardinal who was making the king's cause synonymous with the interests of the house

[1] See the engraving of Tortorel and Perissin.
[2] *D'Aubigné*, ed. Réaume, p. 67.

of Lorraine. They wrote not only to the king, but to the cardinal, congratulating him as the saviour of his country [1]. The title was not a new one, L'Hospital had hinted it in the conclusion of a letter to Charles during the negotiations at Peronne, in 1558, though with all the qualifications that accompany eulogy from such a writer:

The Cardinal of Lorraine in power.

> 'Mandata tui suprema magistri,
> Promissam pueroque fidem servare memento.
> Hoc faciens querna in reditu cingere corona,
> Et meritum Patris patriae cognomen habebis [2].'

Like most of the political characters of the time, Charles of Lorraine has been alternately described as saint or devil. Between 'Pater patriae' and 'Le Tigre de Lorraine' there is much to choose. Certainly he was unpopular, but his diplomatic talent enabled him to pose before the people as a staunch and patriotic Frenchman. Very considerable allowance must be made in estimating cruelty in the sixteenth century, especially in the case of rebels to king and to Church.

Diverse opinions about the cardinal.

The same, or rather greater, care is necessary in dealing with the character of Catherine, the political enigma on whom French historians [3] have been pleased to heap all the faults and crimes of the last generation of the Valois. Though far below the standard of canonization [4], she was not so bad as she was painted [5].

Catherine an enigma.

[1] Picot, *États Généraux*, vol. ii, p. 161. [2] Ed. 1825, p. 346.

[3] 'Il y eut force libelles diffamatoires contre ceux qui gouvernoyent alors le royaume, mais il n'y eut aucun qui piquast et offensast plus qu'une invective intitulée "Le Tigre" sur l'imitation de la première invective de Cicéron contre Catilina.' *Brantôme*, ed. Lalanne, vol. ix, p. 492.

[4] Sismondi, *Histoire des Français*, xvii.

[5] The *Legenda Sanctae Catharinae Mediceae* were published in 1575, *sine loco*.

Catherine de Médicis is a study in character too serious to be treated within these limits, the following contemporary and recent criticisms show this.

Compare the harsh statements below with the criticism of Lippomano: 'She was the curse of the house of Valois. She gave the reins to her demoniacal ambition at the most critical period for the family, and satiated her Italian revenge upon the noblest of the nation. Forgetting her duty as mother of the kings of France, she suffered the last scions

The often quoted expression of Henry IV[1] is valuable as a corrective to any estimate rashly formed. Petrucci, who was perhaps in closer contact than any of the observant Italian ambassadors with her confidential history, writes: 'It is astonishing that Catherine has ever been accredited with any political value; entirely deprived of moral sentiment, she has no principles, conviction, nor system. She lives from day to day always struggling against events, never mastering them. She rushes into exciting positions without knowing how to gain advantage from them. She is without those two things necessary to every sound politician, prevision of plan, perseverance in execution.' This, in some sort, was the mistress whom L'Hospital was called to serve in a time of extraordinary party friction. The office of chancellor might well daunt any but the bravest, and Morvilliers, the faithful servant of the Guises, to whom it was first offered, refused through fear of the difficulties.

Petrucci's criticism.

Catherine calls L'Hospital to the chancellorship.

The Guises favoured L'Hospital as a second string[2].

of the house to wither away, and she and her race came to an untimely end.' Hausser, *The Period of the Reformation*, p. 347.

'Francis II was scarcely dead when she seized upon the person and power of Charles IX.' Ibid., p. 356.

'Les Français n'ont pas voulu reconnaître plus tôt la prudence et la capacité de la reine mère, mais, au contraire, ils l'ont niée. Aujourd'hui ils doivent lui rendre pleine justice. Car ils voient clairement que c'est elle qui fait tout et qui ordonne tout avec sagesse et pour le bien du royaume. Dans ces troubles elle a été la médiatrice, elle a toujours conseillé la paix. Elle est aussi infatigable de corps que d'esprit et ne perd jamais courage.'—Lippomano.

And note Guizot's verdict: 'Si au point de vue moral on ne saurait juger Catherine de Médicis trop sévèrement, à travers tant de vices elle eut des mérites: elle prit à cœur la royauté et la France: elle défendit de son mieux contre les Guises et l'Espagne l'indépendance de l'une et de l'autre, ne voulant les livrer ni aux partis extrêmes ni à l'étranger.'

[1] 'What,' replied Henry IV to a critic of Catherine de Médicis, 'could a poor woman have done with her husband dead and five small children upon her hands, and two families who were scheming to seize the throne, our own and the Guises. . . . I am astonished that she did not do even worse.' Catherine's chief adversary has been, among Frenchmen, her most generous apologist. E. Armstrong, *French Wars of Religion.*

[2] 'Ils avaient espérance que le chancelier de L'Hospital, qui avait

His inflexibility unsuspected.

They had the highest opinion of his ability; they were ready to make use of his reputation for integrity, but they did not know the inflexibility of his character. This was perhaps better known to Catherine, and his support of the royal authority might be depended on. L'Hospital's opinion of Catherine is attested in some way in the courtly compliments in the verses on the coronation of Francis. This was favourable, and so by the *accumulated* wishes of the cardinal and of Catherine L'Hospital was appointed to the highest legal office in the realm. The old Bourbon service of his father, like bread cast upon the waters, returned after many days, for it is said on good evidence that the Duchess of Montpensier suggested the name to Catherine. Condorcet has distorted the very natural and amiable action, and has asserted L'Hospital's elevation to be due to an intrigue. The emancipated queen took good care to impress on her chancellor that she alone had elected him, and possibly, pleased by the success of the selection, she believed in her statement. One good action she at least did on her elevation to power, though from motives of personal rather than public justice. She sent by her son an ultimatum to Diane of Poitiers, demanding the crown jewels, and putting an end to her power. This was a stroke of great political significance. Diane, the pretended divinity of the Renaissance, had passed from mistress to adviser to the king. 'Every day,' says the ambassador Lorenzo Contarini, 'the king remained with her for an hour and a half after dinner, discussing important matters of state.' Her letters include communications to ambassadors, marshals, princes, and are more like the correspondence of a prime minister than a king's mistress[1].'

The fall of Diane of Poitiers.

succédé à cette charge par la mort du chancelier Olivier, favorisait leur parti.' *Castelnau*, cited by Zeller in *Charles IX and Francis of Guise*, p. 19.

[1] See *Lettres inédites de Diane de Poitiers*, par M. Georges Guiffrey, reviewed by Imbert de Saint-Amand in the *Revue des Deux Mondes* of August, 1866.

Her greed.

This advice was not given gratis. She priced all her labour, and priced it very high: her hands were never out of the king's treasury, and she looked upon France as a beast of prey regards its victim, something from which the last drop of blood is to be drained. In the scandalous history of the Court of France women occasionally appear, instinct with patriotism or touched with a passion, whose very sincerity causes regret for the unhallowed life. But this aged pinchbeck goddess, unchaste, cruel, mercenary, rapacious, has not the flimsiest gossamer of romance to veil the nakedness of her calculating avarice. It was well for France that the long-silent queen had at last the power to procure the fall of an idol whose worship was abomination, and whose existence desolation to the Court of France.

Freed from one rock against which the vessel of his fortune must sooner or later have crashed, L'Hospital attained the position which he was so well to adorn at a moment when the ulcer of seditious strife had eaten far into the life of the country. Thrown amongst an unruly company of violent soldiers, ambitious priests, greedy courtiers, and passionate or changeful women, he remained firm to his love for old institutions, sought for remedies rather than change, and prepared plans of life and liberty irrespective of creed or party, which he never abandoned, though forced to witness the outburst of the storm that had long lowered upon the horizon.

The discourse on the four estates.

The main lines of L'Hospital's theory of government had been sketched in a discourse on the four estates presented to Charles of Lorraine. The original, in Latin, has been lost, but a translation by Du Bellay preserves the substance of the little work[1]. The ideas worked out at fuller length in the 'Traité de la réformation de la

[1] *Discourse on the Four Estates: Nobility, Clergy, Justice, People.* This work, with the letter to Francis II, helped to make L'Hospital chancellor.

justice' are a continuation of the eminently French theory of Seyssel, and find a later dogmatic expression in the writings of Jean Bodin. There are three kinds of government, democracy, aristocracy, and monarchy. Of these the monarchy is the most complete and stable; like the head to the body, and the helm to a ship, it supplies the guiding and directing principle. The body consists of four parts, each with its special function: the people to work, the nobles to fight, the lawyers to give rules for peace, and the clergy to unite all the other members of the body in one bond of concord. The prince must govern these estates so that every part may receive its proper nourishment and perform its function in the best way. The people, like the hands and feet, are to bring nourishment to the body; without them there is no pleasure; their work makes the earth fertile, which otherwise would fail to nourish its children. Even princes are dependent for their happiness upon the toil of the common folk. From the people comes the annual tribute, oftentimes the greater portion of their profit is given to the other members. The noble may serve in war, the judge preside over the courts, the bishop watch his flock, but if the plough ceases these functions are impossible. Therefore due regard must be paid to the sons of industry, something of their labour must be left to them, as some portion of the honey is left to the bees to keep them in the winter. Money must not be debased, nor excessive tolls taken from the workers, but the strong must guard the weak, that every part of the state may thrive in its own order. Homer called Agamemnon 'the pastor of the people.'

Similar to the theories of Seyssel.

The prince.

The people (*tiers état*)

necessary.

The nobles.

The nobles exist for acts of war and bravery. They form the sinews and muscle of the state, and represent its force. They must be protected from usurers, and any harm that may impair their noble qualities. Above all, they must keep their special virtues intact. At present there are three classes of nobles: those who excel in arms,

those who live churlishly on their domains and think but little of the country, those who haunt the Court and live on the depletion of the treasury. All should, true to their functions, live for the honour and profit of the state.

The lawyers.

The lawyers in the parliament are to be the oracle of France, honoured and revered by prince and people[1]. From their hand he expects advice and succour in governing. They must elect only good jurists and tried lawyers to their number. No money nor favour must obtain an office where worth does not accompany them. The king will watch their actions, often hold *mercuriales* and *lits de justice*, like the emperors of old. The king must exact proper justice, imitating the severity of the King of Persia, who flayed an unjust judge, and caused his son to sit when judging upon his father's skin.

The clergy.

The clergy are to beware of the evils that have attacked other countries, and are not absent from France[2]. But the monster heresy must be conquered by chastity, humility, modesty, and sobriety on their part, not by ambition, envy, avarice, and all the kindred vices. The primitive Church was the mother of purity, and a pattern of diligence. Do you call yourselves pastors, who have no care nor charge of the flock! You who never go to see them but to shear them! A captain may not run away from his men, why then a bishop! Once bishops were to be found in their sees, but now at Court they push away the worthy bidden guests, and leave their sheep to the tender mercies of chance comers.

'Look at Lorraine, and follow his bright example. Like

[1] Seyssel: 'Mesmement à cause des parlemens qui ont esté instituez principalement pour cette cause et à cette fin de refréner la puissance absolue dont vouldroient user les Roys.'—*La grant monarchie de France*, composée par Messire Claude de Seyssel, &c., Paris, 1519.

[2] Ibid.: 'Et dire ouvertement que l'une des plus grans fautes que je voie en l'Église est que les prélatz ne font résidence en leurs éveschés.'—Ibid.

Atlas[1] supporting the sky, he bears all the burdens of France upon his shoulders, and yet is true to his duty as a faithful pastor. Work hard in your cures, this is the only method of conquering heresy. Cardinal of Lorraine and Francis of Guise.

'Charles is our Ulysses, Guise our Achilles, the king will as Agamemnon blend all parts of the state together. The king will be our moving spirit, while Guise marshals the soldiers, the chancellor deals out justice, and Charles of Lorraine, our pilot, holds the helm of the vessel of the state.

'Who will look after the common people? That, sire, shall be your mother's care, and she will join Mary Stuart with her in the work, and perhaps your aunt the "unique Marguerite." You are our new Solomon; it is for you to build a new temple. Cultivate letters: Homer was the trumpet of Achilles; Charlemagne favoured learning. Literature, which began with him, has reached a high standard under Francis I. Now we have another Francis[2] and another Charles, true reflection of Maecenas with a new Augustus. May our king excel Augustus in fortune and Trajan in goodness!' The ladies of the Court to assist in the well-being of the country.

The polished dedication was accepted by the persons named in it. They overlooked the attitude of censor apparent in every paragraph, recalling to modern readers the language of the bishop-martyrs of the Reformation, or the poet of the Puritan revolution[3]. This attitude is characteristic, and deserves the closest attention.

L'Hospital was, after the Constable Montmorency, the greatest *rabroueur*[4] of his time, but the censorship was L'Hospital a *Censor morum*.

[1] Cf. the lines on Charles's brother, the Duke of Guise:

'Fulmineus Guisius: fractis labentia pilis
Vertice tecta suo qui fulcit publica latis
Sustinuisse humeris ut coelum dicitur Atlas.'

Ep. to Morvilliers, written in 1558, shortly before the peace of Cateau-Cambrésis, ed. 1825, p. 315.

[2] Francis II, not the Duke of Guise.

[3] Latimer, *Sermon on the Plough*. Milton, *Lycidas*, inter alia.

[4] Brantôme, 'Car il les rabrouoit fort estant le seigneur du monde qui estoit un grand rabroueur et sçavoit aussi bien braver et rabrouer.'

always tempered with a modesty and gentleness befitting the occasion. He is the Roman Cato with a difference—he can make people love as well as respect him. Place one of his poems to Francis II beside Ronsard's verses to Henry III[1] or D'Aubigné's description of this last of the Valois line[2], and it is easy to see how he differs from the professional courtier and the irreconcilable Huguenot. Brantôme is at his best in describing this *via media* of truth and courtesy which accomplished the difficult task of balancing the two aspects of a complex truth.

L'Hospital's theory of government.

But apart from the manner of the discourse which was the result of conviction, the words enshrine L'Hospital's theory of government. It is an ideal, but one worthy of himself. He imagines a monarchy in which prince and people shall both be faithful to their mission, the one governing his subjects without oppression, the other obeying the king without loss of self-respect[3]. The absolute position of the crown implied in the discourse commended itself to Catherine; she was ready through ambition to pursue a policy dear to L'Hospital through love of peace and desire for toleration, and to place the power of the king above political or theological quarrels. This will be the policy of all the great ministers of the *Ancien Régime* from Colbert to Turgot.

April 1. From Nice to Paris.

L'Hospital was exercising his functions at the court of Margaret of Savoy when the news of his appointment came to Nice. He set out immediately for France, considerably perplexed in mind as to the troubles at Amboise, of which formidable accounts had already reached him[4]. The letters of provision appointing him chancellor were dated

Vie de Montmorency (*Œuvres*), ed. Lalanne, vol. iii. *Digression on the Chancellor in the life of Montmorency*, ed. Lalanne, vol. iii.

[1] *Ronsard*, ed. Sainte-Beuve, pp. 206, 207.

[2] D'Aubigné, *Les Tragiques*.

[3] *Theories on the Royal Power in France during the Wars of Religion*. G. Weill, 1891.

[4] 'J'arrivay à la court fort troublée et esmeue d'ung grand bruit de

from Saint-Léger on the last day of June, and were enregistered by parliament on July 2. A fortnight later the parliament enregistered the Edict of Romorantin, which struck at the Huguenots by giving to the bishops cognizance of the crime of heresy in their own diocesan courts [1]. This edict, which clashes with the tolerant tenor of L'Hospital's policy and opinions, was no doubt the result of the tumult of Amboise turned to account by Charles of Lorraine to promote his scheme for the introduction of the inquisition [2]. On the old principle of choosing the less evil of two bad alternatives, L'Hospital may have allowed this edict to be placed on the statute books. It is doubtful whether he had any share in framing it; certainly he was not chancellor at the time of its composition, but his influence in modifying the evil in its articles is clear from the records of the deliberations in parliament on the question of enregistering [3].

Edict of Romorantin.

Avoiding the inquisition.

Three days after his appointment and the deposition of Jean Bertrand from the office of Custos Sigilli were recorded by parliament [4], L'Hospital argued on behalf of the edict to the courts, interpreting its terms in such a way

guerre incontinent après le tumulte d'Amboise, qui ne feut pas tant de soy dangereux que pour le remeuement des partiaux, qui bientost après s'ensuyvit.' Testament, vol. ii, p. 520.

[1] 'Edict of Romorantin,' Isambert, xiv, p. 31.

[2] See De Thou, xxv, p. 781; Isambert, xiv, p. 31; note on Dufey, Sismondi, xviii, p. 157.

[3] H. Martin, ix, p. 45, puts the Edict as L'Hospital's first great service to France.

[4] 'Et combienque par le moyen dudit édit de création d'office de garde des sceaux et clauses dessus dites portant disposition d'ung homme vivant, le dit office de chancellier ne puisse estre dit appartenir et estre consolidé en la personne d'icelluy qui se trouve pourveu de l'office de garde des sceaulx, ains soit le dit office de chancellier vraymment vacant par le décès du dit Olivier, et retourne à une plaine et libre disposition: néantmoins pour oster toutes difficultez, le dit cardinal de Sens seroit volontairement desmis en nos mains purement et simplement du droit qu'il pouvait prétendre audit estat, tiltre et dignité de chancellier, et à ceste fin nous auroit envoyé ses lettres de la dite démission, lesquelles sont cy soubs nostre contre-seel attachées.' Tessereau, *L'Histoire chronologigue de la Chancellerie de France*, p. 134. Isambert, *Recueil des anc. lois françaises*, xiv, p. 35.

The lawyers to settle sedition, not to judge religion.

as to moderate their effect. The lawyers were not to consider themselves deprived of their ancient and honourable privileges; they still were the sole judges in questions of illegal and seditious assemblies, but they were not the judges in matters which lay outside the pale of law and had only to do with conscience. L'Hospital, in his *Discourse on the Four Estates*, had indicated the surest and wisest means of extirpating heresy[1], he now clothes his ideal with the reality of legal procedure, and incorporates in the edict a clause demanding the residence of all bishops in their respective sees, under pain of having their names placed before the king by the bailiffs or seneschals of their district. Thus the edict contains two distinct portions, the cognizance of heresy and the suppression of lawless and seditious meetings. The first was committed 'ainsi qu'ils l'avaient anciennement' to the Church, and the second to the civil arm. The link between the two portions of the edict is the knowledge that religion was being used merely as a cloak for rebellion, and there the joint action of three of the four estates—nobles, clergy, and lawyers—would be sure to be effective.

Bishops to be resident.

The king's health.

The power of the crown, so ardently promoted by L'Hospital, was menaced by the action of the Guises, who, seeing that the health of the king was giving cause for serious consideration, began to precipitate events likely to bring the power into their hands. Opposed to them were Coligny and his brothers; the Bourbons; Antony, King of Navarre; and Louis, Prince of Condé. The latter, the *chef muet* of Amboise, had placed himself within measurable distance of punishment for treason, and Montmorency the Constable was implicated with him. To weaken the power of intrigue L'Hospital persuaded the king to call an assembly of notables to Fontainebleau. In such an assembly the affairs of state, coming before a larger

Rivals for power.

[1] *Discourse on the Four Estates*, translated by Du Bellay.

audience and appealing to many interests, are less likely to be managed by a small party of political wire-pullers. The nobles met, and a considerable amount of legislative work was carried through. In the group of edicts resulting from their deliberations was a measure appointing arbitration in certain cases of trade disputes. This ordinance is the germ of the useful tribunals of commerce. But wider issues opened during this assembly of great political import. For the first time the great leaders of the opposite parties found themselves face to face under the guidance of the ablest lawyer on the bench. Each side was sure of obtaining a hearing, and the publicity of the debates was the best guarantee for moderation in demands and sobriety in language. The passions aroused by the taste of blood at Amboise were the result of a state of feeling that was not without its intellectual side. Eminent jurists were said to have countenanced the rising [1], and it was evident that the Huguenots were a power only needing leaders and organization to make them formidable. Coligny presented a petition representing 50,000 Protestants of Normandy, and produced an impression that all the anger and scorn of Charles of Lorraine and his satellites could not undo. The Bishops of Valence and Vienne argued boldly for toleration and management. The scholarship of the one, and the winning manner of the other, lent weight to their words and won the assembly to their views. L'Hospital exposed the unhealthy state of the kingdom, and pleaded for an inquiry into the cause; when this was found, it would not be difficult to discover a remedy. The meeting upon his advice voted for the assembly of the Estates General to consider the needs of the kingdom, and requested the Pope to convene an oecumenical council to settle the differences in religion. If he were unwilling to do this a national council must be held. The Estates were summoned to assemble at Meaux on December 10, but the place of

Coligny and the Calvinists of Normandy.

The Estates General to meet.

[1] Hotman among others.

meeting was afterwards changed to Orleans[1]. The King of Navarre and Condé had held aloof from the assembly at Fontainebleau, but were persuaded to obey the command of the king to appear at the Estates in December; refusal would be a declaration of war. They rode to Paris, trusting in the young king's word that their persons would be safe. The nobles of Guyenne, Languedoc, and Poitou came to meet them, offering escort and troops; the service was refused, and they arrived at Paris unguarded, relying on the king's promise. But the weak and unhealthy boy was too much in his uncle's power to keep faith. Evidence had accumulated in the hands of the Guises fatal to Condé: the king, schooled by his uncles, reproached him in terms conned by heart, and the prince was arrested. It was said that a sign from Francis would have effected the assassination of the King of Navarre, but the boy's heart failed him in such a bloody act of treachery. The commission appointed to try Condé condemned him to death. L'Hospital and two other members refusing to sign.

Condé tried.

L'Hospital refuses to sign death-warrant.

The honour due to L'Hospital for this refusal to sign the condemnation has been challenged with reason by De Thou, who says that the sentence was not signed at all, but it is certain that he used all his powers to retard its execution. It was clear that the Guises wished for nothing less than a complete riddance of the whole Bourbon and Chatillon families, and the chancellor recoiled from this disturbance of the balance of parties so important at the moment. The queen easily saw the advantages to be gained by keeping in power a valuable, and perhaps grateful, group of allies against the encroachments of the Guises; and when, on December 5, the boy-king died from the results of a malignant ulcer in his head, she took care that the prison-doors should be opened to Condé. In return for the regency which belonged of right to Antony

The anti-Guise party.

[1] November 26, 1560. Isambert, vol. xiv, p. 53; Picot, *Histoire des États Généraux*, vol. ii, p. 172, note.

of Navarre, the first of the blood, she gave him the now empty title of lieutenant-general of the kingdom [1], which satisfied the purposeless bearer. The last act of the Guises during the year was the expedition of a declaration containing a profession of ultra-montane Catholic faith, to be subscribed under pain of burning by all those to whom presented. It was carried by courtiers and special messengers with order to arrest all recusants. The Protestants took up arms everywhere. *La Ratonnière.*

The Estates met at Orleans on December 13, presided over by the child-king, Charles IX [2]. Catherine sat as informal regent [3] on a seat of the same height, but a step lower than the throne [4]. Henry II had promised that some such meeting should take place, and enjoined to his son the fulfilment of his wish. L'Hospital gave effect to the idea, and in doing so inaugurated the greatest legislative work of the age. The subsequent ordinances of Rousillon and of Moulins are very largely composed of matters of importance too numerous and too novel to be dealt with in the ordinance of 1561, which itself comprised 150 articles. These monuments of legislative progress and reform are also personal monuments of the great man who reduced the confused and conflicting demands of the deputies to propositions capable of engrafting themselves on the growing body of French law. The Estates General.

L'Hospital's opening speech on January 13 is of extreme interest as an exposition of his theory of royal power in its relation to the estates of the realm. It receives special Theory of royal power.

[1] Catherine's letter. Isambert, xiv, p. 54. For the renewal of the quarrel with Navarre see the letter of Catherine to Limoges in March, 1561.

[2] Charles IX was born June 27, 1550, he was therefore only ten and a half years old at his accession.

[3] A week later, December 21, an act was drawn up, though never signed, which made Catherine regent till the king's majority. Antony of Navarre was associated with her in certain important points of procedure. Cf. *Acte de constitution de la régence pendant la minorité du roi*, Isambert, xiv, p. 59.

[4] Tortorel and Perissin's engraving hardly shows this, though both king and queen are seated under the royal canopy.

emphasis from consideration of the frail child sitting face to face with the strongest and ablest in his dominions. It is not so much the royal person as the royal power, descending from father to son, controlled by no other law but that of God[1]. This is the high doctrine of royal sovereignty, and is unflinchingly proclaimed by L'Hospital, without any suspicion of insincere flattery or hope of personal advancement. From two sides the throne was threatened by ambitious nobles. Guise and Antony of Bourbon could trace descent from St. Louis, Antony was actually one step nearer in kinship to the revered monarch than was Charles IX. In times of peace these qualities would serve to supply additional prestige to their possessors, and reflect more glory on the crown by contrast. They would draw the nobles of royal stock closer to the actual chief of their house. But in times of internal hostility, when the country stood divided into two camps, members of either party urged upon their respective leaders the expediency of converting claims into property. It has been shown that the conspirators of 1560 were persuaded that the taking of arms was legitimate if led by a prince of the race. There is virtue in the royal blood; but though a necessary coefficient of kingship, it is not the only constituent: men demand strength in a ruler, power to compose strife. To these dangers must be added the distrust with which all Frenchmen regarded Catherine de Médicis. There is no single party to which she can trust; she fears the princes, whom she has caused to suffer, the Guises who would control her,

Dangers to the crown.

French distrust of Catherine.

[1] Friday, December 13, 1560: 'Que le roy ne tient la couronne de nous mais de Dieu, et de la loy ancienne du royaume, qui donne et distribue les charges et honneurs à qui luy plaist, tellement qu'on ne luy peult ne doibt dire pourquoi.' Dufey, *Harangues*, vol. i, p. 389.

Care must be taken to draw a distinction between L'Hospital's theory and 'The right divine of kings to govern wrong,' which is the way in which the theory too often works out in practice. In the absence of means to place proper checks on despotism, an appeal to the king to consider himself as the minister of the Divine law was a step in the right direction, if the fullest meaning is given to the word 'Divine'; it was no empty formula to the chancellor.

the general body of the Catholics who suspect her, and the Protestants who despise her[1]. She is a daughter of Heth, hated by the fanatics of all parties, loved by none. Her impartiality becomes duplicity and ruse when her letters are examined with their weft of secret plottings with Spain against the Protestants, and her open encouragement of the latter by word and writing.

The chancellor's opening speech.

L'Hospital's speech shows magnificent grasp of the complex situation before him, with its weak central position and the surrounding dangers, but with practical wisdom he refrains from entering into detail. Just once he descends into the arena of current politics to mention by name 'Laudis et honoris causa,' the King of Navarre, who, as first prince of the blood, has led the way in obedience to the king his master, but he emerges after this excellent tactical stroke to the comparisons of Greek and Roman legislators who laid aside their private quarrels for the public good. Antigonus, the successor of Alexander, boasted more of the love of his son than of the number of his soldiers. So the natural bonds of affection will make the queen mother the best protector to her son. The Estates General have not been held for eighty years, but in olden times they were more frequent, and in England and Scotland have continued. The trial and decision of particular cases is the work of the Parliament, public and general law is discussed in the Estates. The Estates are undoubtedly beneficial to the people, and the king loses no dignity by coming face to face with his subjects. To administer justice is a noble and more dignified act than to make war, for in this latter bad men often succeed better than the good; kings are elected primarily to do justice. The seals of the kings of France, showing the monarch seated as

Function of kings.

[1] See note, p. 96. 'L'Hospital recommended submission to the laws, to which all must obey except the king alone. It was the Roman formula: more than one of those present blamed him for making it his own.' G. Weill, p. 49.

judge, clearly demonstrate this, and ancient history shows how kings who have refused to administer justice have come to violent ends. By all means let the king know how his people fares. Louis XII, the good king, learned much about the life of his people from the plays and farces.

Function of Estates General.

The Estates do not diminish the king's power; they are consultative, they serve to moderate and regulate; but moderation is not diminution. Are the kings of France to become again like the race of Pharamond? That would be ruin indeed. It is in the Estates and in open daylight that sedition can best be dealt with. The assembly at Fontainebleau decided that bishops and baileys should reside in their lands, but this has been only half obeyed, and tumultuous violence shows itself everywhere.

The use of laws.

Good laws, like good medicine, seek not merely to appease the disease, but to cure it. Therefore these must be something more than restraint and punishment, they must be formative. The Estates must labour to get to the root of the evil; lopping off heads, like lopping off branches, does not destroy an evil plant. The causes of the present sedition must be carefully sought for. One cause is the discontent caused by the inability of the royal treasury to meet the demands of those who have served the king, but in this the creditors must give time, and must remember that the king has a claim for certain services to be rendered gratuitously. Another cause is the idleness of the soldiers, now no longer employed against an external foe. Kings must, however, regard their subjects, and not undertake war for mere ambition, nor call upon their subjects without due cause. The goods of their subjects belong to them, 'imperio, non dominio et proprietate.'

Kings must care for their subjects.

The Christian religion is one of peace.

Some say the sedition is due to differences in religion. If so, those who seek to implant religion with arms, swords, and pistols are certainly not of the Christian faith, for there the watchword is 'Mitte gladium tuum in vaginam.' Unfortunately differences in religion always bring civil

strife. We are experiencing the truth of this now when a Frenchman and an Englishman of the same creed are closer friends than two citizens of the same town who differ in religion. There is the other side of the truth, 'Non veni pacem mittere sed gladium;' we are very far from realizing the old blazon, 'Ung foy, ung loy, ung roy,' and without this unity war must follow. The means to amend this are to be found in a holy council which shall settle a basis of agreement in kindness and charity, the only arms with which to wage a religious war. Kindness is more effective than force. But away with all these fiendish terms, names of parties, factions, and seditions—away with Lutheran, Huguenot, and Papists: let us not change for them the name of Christian.

Then, with a final appeal to loyal men to avert and suppress sedition, L'Hospital pleaded the cause of the little orphan, to whom his father and mother had left such a terrible legacy of debts and engagements. The accumulated deficit of twelve or thirteen years had fallen upon his shoulders; he will submit to every retrenchment possible, and while saving the dignity of the crown will endeavour to reduce the balance against him.

The speech of which the above is necessarily a meagre epitome is a noble appeal to the true patriotism of the Estates. Before his elevation L'Hospital had often occasion to show how clearly he saw the vices of his time: this speech proves that in taking the seals he had lost neither his firmness nor his clear-sighted independence. Promotion had in no wise changed the man, nor had official position spoiled him. His words on this great occasion are prophetic of his position during the time he held office. Devoted to the idea of French unity, he shows the opinion of the more enlightened statesmen of the sixteenth century on the mutual relations between each part of the body politic. On the threshold of civil war, before an assembly fresh from sights of rapine and slaughter, he appeals for unity and peace, and addresses his appeal to the best feel- L'Hospital's appeal for

unity misunderstood.

ings of the human heart. His noble words were unheeded and misunderstood; the failure lay not with him, but with those incapable of understanding. One thing is certain, that this man, with the courage to maintain in public his private convictions, was not one to whom the expression 'nager entre deux eaux[1]' may be applied. Nor can it be allowed that this instructive chapter in French history teaches nothing, and was incapable of preparing the assembly for the work expected of it[2].

A great ordinance.

The Ordinance of Orleans, with its long list of articles selected by L'Hospital from the *cahiers* of the deputies, show that the assembly wanted no prompting, and that the counsels of moderation given by the chancellor were exactly suited to the occasion. The ordinance was published on the same day as the Estates closed, and among its notable reforms must be signalized the removal of the Concordat, and the diminution of venality of offices, the two great blots of the legislation of Francis I. Fearing the temper of the deputies, the Duke of Guise, the Constable, and the Marshal St. André left the Court and formed a secret triumvirate[3] to protect their spoils menaced by the articles of the ordinance, and, as they said, to protect the Catholic religion.

The assembly of Pontoise.

A complementary assembly at Pontoise dealt particularly with the finance, and by a proposition of nationalizing the Estates of the clergy obtained from that order a considerable sum towards paying the royal debts. This fund gave the queen an amount of ready money sufficient to stave off the promised reduction in the expenses of the Court.

Dislike felt by the clergy for

This financial measure obtained for L'Hospital the cordial dislike of the whole of the clergy, and produced

[1] Bayle's *Criticism*, vol. v, p. 158 infra.

[2] See Sismondi's criticism on this speech, *Histoire des Français*, vol. xvii.

[3] 'La guerre civile vint, à laquelle fallut pourvoir, et pour ce fut dressé une armée soubz la charge du roy de Navarre, du lieutenant général du roy MM. de Guyze, et du connestable et mareschal de Sainct-André, si bien qu'on appelait les trois derniers par ce nom de Triumvirat.' *Brantôme*, ed. Lalanne, vol. v, p. 337.

an interchange of letters between the Pope and Catherine, in which the Pontiff expressed his displeasure at the attack on the temporalities of the Church. Her answer to this was the promotion of the colloquy of Poissy, which she had desired for some time. The reaction against the power of the Guises, and the growing influence of Coligny and his party, strengthened her hands. She abated in her desire to stand well with Spain, and sought alliances with the Protestant princes of Germany, 'in case Charles IX should happen to change his religion.' By the king's permission, the Psalms, censured by the Sorbonne and forbidden under Henry and Francis, were now to be printed, and to ultramontanes who were opposed to change of language, she answered, 'Eh bien! nous entendrons la messe en français.' An Edict of Tolerance was issued, and though restricted in many ways, the Protestant religion was free at least from persecution. The Cardinal of Lorraine accepted Catherine's proposal to hold the colloquy with the Protestants, but with intention of playing off the Lutheran doctors of Germany against the Calvinists of France. His plans were frustrated by the late arrival of the Lutherans, of whom one died and the others declared their intention of throwing in their lot with the Huguenots. The king presided, and L'Hospital opened the meeting with a speech appealing to toleration and mutual respect[1]. He had expressed himself in similar terms a week before at a meeting of the Catholic bishops in Poissy. Above all things let them study simplicity, 'the common plants of the garden contained as much virtue as the exotics of India or Egypt[2].'

new measures.

Catherine coquets with the Huguenot party.

Edict of Tolerance.

Poissy.

A general council composed largely of foreigners could not comprehend their national needs; the deputies at the

A national council.

[1] For a picture of this meeting see Tortorel and Perissin; the prominent position of the Cardinal of Lorraine is to be noted.

[2] Lavisse and Rambaud quote from the speech to the bishops on September 1 (vol. v, p. 123), as well as from the speech of September 9. See Dufey, *Œuvres de L'Hospital*, vol. ii, pp. 481–90.

colloquy were Frenchmen, the fathers and brothers of the men for whom they were consulting. Many books were not wanted, the Bible was sufficient used with love in argument to those who differed in details of faith but who still had one Lord and one baptism. Harshness in the Church had bred the Arian schism, and Nestorius, through excess of severity, had fallen into great heresy.

Failure of the Colloquy at Poissy.

His tolerant words inflamed the fanatic De Tournon to vent his spleen in a furious speech. The arguments of Théodore de Bèze, and the explanation of the presence in the sacrament, put an end to all hopes of any common creed issuing from the colloquy. The Jesuit General Lainez, in a speech of extraordinary virulence, attacked the Protestant leaders, calling them apes, foxes, and monsters, unable to treat of sacred things. Disappointed in this first attempt to bring the Protestants into communication by conference with the members of the old faith, L'Hospital urged the queen to break up the assembly. The expected Poissy confession, which was to determine the principles of reform in France, perished in its conception. Lainez and the cardinals wrote to the Pope claiming a great victory for the Catholic faith, while De Bèze had the useless privilege of addressing a doctrinal statement to the lukewarm queen [1].

Some success, however, had been gained by the Huguenots. The king published an edict at the close of the colloquy, in which, while justly forbidding interference with the ecclesiastical benefices and their present holders, he equally forbad the Catholics to trouble the followers of the new religion, the words Huguenot and Papist were condemned, and armed assemblies declared illegal.

Religious unity was past hoping for, and L'Hospital

[1] See 'A briefe wrytyng exhibited by Master Theodore de Beze to the quene mother at Poyssi the X day of September containing a declaration of certain points proposed by him the day before, &c.' Printed in London, 1561.

determined that civil and religious toleration at least should be fully recognized. He was firmly convinced of the great truth that liberty of conscience is perfectly compatible with public peace and the king's authority. He did not rest till in January of the next year he addressed a great assembly of the parliaments of the kingdom. Full of the hope of at last obtaining some fruits of the past year's labours, he recounted the wishes of the Estates of Orleans and of St. Germain, and passed on to defend himself from the attacks which the fierceness of party feeling directed against him. 'I know well,' he said, 'that my words are in vain; I shall not disarm the hatred of those whom my advanced age wearies. I could pardon them for being so impatient if they were to gain by the change, but when I look around, I might feel tempted to answer them in the words of a good old bishop, whose beard, like mine, was long and white, "When this snow shall be melted there will be naught but mud."'

Efforts to obtain religious toleration.

There is in his words a profound insight into the coming trouble, and the means of allaying it; there is also a clear appreciation of his own ability which sits naturally on a great soul. But there is also a sad note, the cry of a strong man tired, with the warfare unaccomplished. The Augean stables of the law-courts had been cleansed, and the hydra of sedition grappled with, but the fighter was not a demi-god. This is the difference between Elijah and Hercules, but the man is better than the hero.

The January edict was successful, though strenuously contended against by parliament, true to its animosity against the chancellor who had opposed the Estates as a barrier to their supremacy. The Huguenots might assemble by day outside the towns, and all tumults and raising of troops were rigorously forbidden. Could the provisions of the edict have been respected, civil war would not have ensued [1], but the selfishness of parties was against

Edict of Tolerance.

Capable of averting civil war.

[1] Villemain, *Vie de L'Hospital*, p. 57.

any successful coalition of powerful men on the side of
1562. peace. Anthony of Navarre gave early in the year an exhibition of his inherent fickleness. Anxious to regain Navarre, and seduced by promise of restoration by Philip II, he deserted the Huguenot party. The municipalities and officials used their new powers of coercion or persuasion for party ends, and so added fuel to the conflagration. 'Quis custodiet custodes?' Covetousness, ambition, anything and everything triumphed over justice.
Eagerness of parties to fight. 'I do not see,' says Pasquier, 'a single person who under these influences does not do something to complete the ruin of the kingdom. No one speaks of anything but war, every one is looking to his arms. The chancellor is in sorrow about it, everybody else is delighted.' Thus the spirit and the acts of war were abroad on all sides
Vassy. when the Duke of Guise, passing through Vassy with 300 men, came into contact with a Huguenot congregation. A fight ensued, sixty were slain and hundreds wounded. This engagement was the match that lit the torch in Bellona's hands[1]. The vigorous wisdom of L'Hospital's measures was of no present avail, judgement bowed to passion, and France became a battlefield held by men of the same blood and language fighting against each other under the banner of rival creeds.

[1] 'War was becoming certain, and the massacre of the congregation of Vassi by the followers of the Duke of Guise was the occasion and not the cause.' E. Armstrong, *The French Wars of Religion*, p. 16.

VI

THE massacre at Vassy was regarded as premeditated [1], and Condé demanded justice from the queen, offering at the same time the armed assistance of the Huguenots in the cause of justice. The King of Navarre threw in his lot with the Guises, and conducted the queen mother and Charles IX to Paris into the bosom of the Catholic party. A council was held in which it was proposed to declare war on the Huguenots [2]. To this L'Hospital offered the strongest opposition. His firmness roused the ire of the Constable, who sneered at the man of the gown presuming to discuss the affairs of war. 'If I do not know how to conduct a war, at least I know when it is necessary,' replied the statesman. L'Hospital's sound judgement was as reliable as Montmorency's generalship was faulty [3], and the verbal thrust carried home. Violent counsels, however, prevailed, and L'Hospital found himself excluded from the conclave. He asked the king when he should resume his office, and was told to wait for further orders. The Catholics accused the Chancellor of dealings with Condé's opposition party. The latter certainly sought L'Hospital's

The effect of Vassy.

[1] See the first and second declarations of the Prince of Condé, printed at London by Edward Sutton of Lombard Street in 1562. These include remarks upon Vassy and a deposition of the young Duke of Orleans on the attempt of the Duke of Nemours to place him in the hands of the Lorraines.

[2] The acts passed and registered in parliament in April and May show Guise's influence and talk of 'la répression des excès commis contre le duc de Guise à Vassy.' Isambert, *Recueil des anciennes lois françaises*, vol. xiv, p. 131.

[3] Francis I, in dismissing Montmorency from the Court, said: 'Il est un ignorant dans les deux principales fonctions de sa charge: la guerre et la politique.' Varillas.

advice, and Condé expressed himself very strongly on the exclusion of the Chancellor from the meetings of the royal council. It was plain evidence of the intentions of the Triumvirate, and to the veriest outsider meant war. Both sides prepared for hostilities, and L'Hospital retired to his country house at Vignay.

Retirement to Vignay.

The country life.

There, in his modest mansion built near the foot of a vine-clad slope, the lawyer once again became the scholar, charmed with the old occupation of writing letters in verse to his friends. In one epistle he gives a description of the austere but cultured life which he spent. He addresses his guests: 'I am not rich; my land, narrow and confined, can furnish nought but necessary viands, simple meats and fruit, with wine from the vines my wife has planted. I have room for three or four guests, and, thanks to my wife again, can show well-kept linen and a silver saltdish on the table[1]. The trees planted in the field are due to my wife's care to provide me with shade, when I read my Horace and Virgil, or compose my verses in the open air. Here I remain till her voice calls me in to dinner.'

'Books are my friends.'

Again, in a letter to Guy du Faur[2], he thanks Apollo and the Muses nine for calming his troubles and lessening his agitation in this happy retreat: 'In the country as in the town my house is filled with books, they are my most faithful friends. When I desire, after recreation, to spend time in serious study, I consult Plato or the philosophers inspired by him. I love above all St. Paul's writings, which teach me to know and to worship God.'

[1] 'Cultus erit mensae non rusticus, urbe salinum
Argento factum veniens huc extulit uxor,
Et secum referet, sunt et mantilia filo
Pertenui, mundis sunt lintea stragula lectis.
Nunc loca, directisque et solem arcentibus ulmis,
Sub domino vetere et segetes et culta fuere.'
Epistola ad Hospites, ed. 1825, p. 176.
Note here, as often, the mention of his wife. Space forbids enlargement on the excellent domestic relations which are one of the happiest features in L'Hospital's busy life.

[2] *Epistola ad Vidum Fabrum*, ed. 1825, p. 440.

But mingled with these idyllic strains and passages of philosophic contentment there are flashes of the fighting spirit, such as the scathing invective of Montmorency and the denunciation of the selfish courtiers battening on the weakness of the king[1].

Fighting begins.

The war broke out at last, Condé proclaiming that the king was in captivity, and that the edicts of pacification were being violated. With Coligny, he seized upon Orleans, which became the head quarters and arsenal of the Protestant forces. The Calvinists were now masters of Orleans, Rouen, Caen, Poitiers, and the country between the Loire, the Rhone, and the sea. Their first success was met on the other side by the queen accepting the sabres of the Catholics, as the defence of the king. This placed the Calvinists in the position of rebels. Forces were not properly massed on either side, though both parties had recourse to the foreigner for aid, thus fulfilling L'Hospital's worst forebodings. The Catholics received the succour of 3,000 of the splendid Spanish infantry, whose courage, equalled by their ferocity, had gained them a European reputation. The Huguenots received help from Germany and from Elizabeth of England on

Foreign arms.

[1] 'Tu vero, qui te priscis heroibus ortum,
Unius et magni comitum descendere Carli
Progenie iactare soles, dux maxime bello,
Princeps pace domi, cuius respublica nutu
Statque caditque, potens et regni et regis, eo te
Deiicis usque, tui atque tuorum oblite bonorum,
Ut tibi non in honore pares, quos iam tua dudum
Immoderata feroxque superbia ferre recusat:
Verum etiam tenues et adhuc sine nomine, spurco
Ore tuo laceres, turpis delator in aurem.
Ex hoc coniectare licet quam caetera recta
Consilia in patriam tua sint: qua mente fideque
Communem ipse geras hodie rem, et gesseris ante.
Semper enim tibi cura malos conquirere servos
Prima fuit, servosque doli scelerumque ministros.
Et se nemo tibi probus unquam addixit, ut illo
Momento, quo te leviter cognoscere coepit,
Non mox colligeret sua vasa, pedemque referret.'
De Bello Civili, vol. iii, p. 418.

condition of giving Havre to the English as a landing base.

The Catholics surrendered Turin to the Duke of Savoy, emphasizing the truth of the Chancellor's speech at the opening of the Estates of Orleans. The Pope offered Catherine a large sum of money to be used in the destruction of the heretics. The war drifted on in a series of small engagements in the nature of armed collisions varied by isolated sieges.

Death of the King of Navarre.

Rouen was taken after a few days' blockade, in which Antony of Navarre received a mortal wound and passed off the scene of history, great in nothing but in being the father of Henry IV. The town was pillaged for eight days, and Guise[1] executed, with the utmost rigour, the sentence of the law upon the defenders till the return of L'Hospital to the council put an end to the severities of the conquerors.

Return of L'Hospital.

Cruelties by both parties—Des Adrets, Montluc.

In the outlying districts of Languedoc and Provence the Huguenot Des Adrets and the Catholic Montluc rivalled one another in cruel excesses. Montluc discovered that the hanging of one Protestant frightened the sectarians more than shooting a hundred in an engagement. He put his knowledge to practical use. 'You could tell,' he writes, 'the route I had taken, for the trees by the roadsides all bore my ensign.' The Calvinists retaliated by equal cruelties and iconoclastic excesses which poured oil into the fire[2].

Dreux.

A general engagement was fought at Dreux. Condé broke the centre of the line and took the Constable prisoner, but the Swiss troops fighting on the Catholic side attacked successfully, and the Bourbon prince was

[1] Although Montaigne cites anecdotes of his clemency. See Floquet, vol. ii, p. 455, for some details of Montmorency's cruelty.

[2] Condé, in his declarations of 1562, of which the translations have been noticed above, admits the iconoclastic excesses while he repudiates them, and instances Orleans as an example of the effect of the good intentions of the Huguenot leaders.

captured. Saint André was slain, and once again, as before Calais, the Duke of Guise found himself the favourite of fortune. He set off early in 1563 to lay siege to Orleans, and was there assassinated by a Calvinist fanatic [1], who conceived that, like Ehud, he was fulfilling a divine mission.

Francis, Duke of Guise, assassinated.

The Cardinal of Lorraine was absent, attending the Council of Trent, now approaching its concluding sessions, and the death of this chief member of the Triumvirate left the Guise party without a leader. Two of the triumvirs had paid with their blood—the oath of blood taken before the altar on Easter morning in the previous year. Condé and the Constable being captives, the war, which decided once and for all that France should not be a Protestant nation [2], flagged for want of a captain. A truce was made, and an edict of pacification permitting the free exercise of the reformed religion was passed at Amboise [3]. The tenacity of purpose shown by L'Hospital, so conspicuous in his struggle with the parliaments in the matter of procedure, is apparent in this victory of principle. As a practical measure the Edict of Amboise failed to satisfy either party: Coligny and the Calvinists considered they gained too little, the Catholics thought the concession to the heretics too much.

Edict of Amboise.

L'Hospital's policy of conciliation had failed, he now began his policy of fusion, rendered possible after the great sufferings of the last year. Both parties were now to join forces to attack and recover Havre, still in the hands of the English. With a foreign war L'Hospital had always shown himself in agreement. It was a sign of

The parties join for combined attack on the English.

[1] Poltrot de Méré.

[2] E. Armstrong, *French Wars of Religion*, p. 27.

[3] The Edict of Amboise accorded to gentlemen holding fiefs by knight service full liberty of conscience to practise the reformed religion in their own houses together with their wives and families, to all others was granted freedom from force or constraint within the precincts of their own houses. Isambert, *Recueil des anciennes lois françaises*, vol. xiv, p. 135.

national vigour. It meant for all practical purposes one law and one king: under the bracing influence of fighting against a common foe it might be forgotten that there was more than one faith. Thus, after the shock of battle and the presence of death, conscious of no failure in his principles, conscious of innocence from the blood of his countrymen, he returns in practice to his theory of a united nation, faithful to his often repeated formula, 'Patience! patience! tout ira bien.'

The cry of Patience!

Money was needed for this policy, and another dip was made into the treasury of the lands and benefices of the clergy. They pleaded the inalienability of their property; but to this L'Hospital replied, 'Havre belongs to the English and the Church property belongs to the state.'

Money obtained from Church benefices.

Parliament resists.

The edict was resisted by the *Chatsfourrés* of the parliament till the king held a *lit de justice*, and by the authority of his presence obtained the necessary formalities. L'Hospital stated that war had been undertaken to safeguard the privileges of the Church, that the country was greatly impoverished, and in some parts unable to pay the ordinary taxes, the property of the Church alone had not suffered. The choice lay between contribution to the country's revenue or spoliation by a foreign state. The clergy considered that he had *très mal harangué*. As a measure of emergency the alienation of the goods of the clergy was a success. The expedition to Havre, equipped with the proceeds, and commanded by Condé and Montmorency, was fortunate in its object. Havre yielded in a few days to the efforts of the united French forces[1]. Making all due allowance for the fortune of war—this time on his side—the result seemed to show that L'Hospital was correct in his diagnosis of the part of the state best able to bear the tax. The clergy were wealthy

Clergy discontented with the alienation.

Havre.

[1] Elizabeth yielded also all claim to Calais on consideration of a sum of 120,000 crowns. Treaty of Troyes. Note Villemain's curious mistake (p. 76) about Brantôme.

enough in a short time to buy back their alienated property. His patriotic belief in the power of the French arms was also justified. It was clear that with moderately even chances L'Hospital could have played as good a pushing policy in the state as he had done in the chamber of accounts. But political wire-pulling cannot be reconciled with L'Hospital's consistent policy of establishing laws in conformity with his theory of government which should rise superior to all temporary expedients and give solutions to vexed questions of public importance. Adverse critics of the period blamed him severely for handling the goods of the Church at a moment when it had to contend against an ever-increasing number of sectaries. But at the time when L'Hospital called upon the Church to fulfil its duty to the fatherland, peace had been proclaimed after a war that showed the futility of the Huguenots aspiring to a dominant or even equal position with the members of the old religion.

L'Hospital's sorrow for the death of the Duke of Guise —to whom in happier times he had been bound by many ties—was sincere and openly expressed. In writing to Charles of Lorraine to console him on the loss, he loves to dwell on the duke's better qualities—on his bravery, good fortune, generosity—when not blinded by passion, and his death-bed wish for cessation of civil war. The letter is couched in solemn language, full of dignity, and may be compared to the other letter addressed to the cardinal at Trent. He counsels moderation, but not compromise: the thing that is needed is a thorough moral change, abstract doctrines may be reformed later. Charles at first espoused in the council the independence of the Gallican Church with its liberties secured to it by St. Louis. But enraged at the assassination of his brother, he threw in his lot with the ultramontane party, and became the chief instigator in the wholesale punishment of the Protestants and the annihilation of their belief. He returned to France

Resistance to the Tridentine decrees.

determined to enforce the acceptance of the decrees, and strove with all his ability against the opposition of L'Hospital and De Thou, the president of the parliament. Against such odds he only obtained a partial success. The reception, pure and simple, was a moot point for the next century. L'Hospital induced the jurist Du Moulin, whose belief had veered from Calvinist to Lutheran, and from Lutheran to Catholic, with a strong national bias, to write a memoir against the reception of the decrees. This irritated both Calvinists and Catholics, and exposed Du Moulin to the worst attacks of parliament till L'Hospital interposed and rescued him.

The death of Guise left the Catholic party without a popular chief of military and political ability. The king was just entering upon his fourteenth year, and L'Hospital seized the opportunity to complete the symmetry of the state by proclaiming his majority. After renewing the edict of amnesty, he announced the king's majority at Rouen, and harangued the parliament of that town on the necessity of reform in justice, and the unfaithfulness to the oath of reception which was causing partiality in judicial decisions. 'I see every day,' he cries, 'men influenced by their feelings, enemies or friends of this or that person, of this or that sect, give their decisions for or against, without a thought of equity or the truth in the case. You are judges of field and meadow, but not of life, of morals, nor of religion[1]. You think you have done an excellent thing in giving gain of cause to the man whom you consider

The king's majority.

L'Hospital's harangue.

[1] The passage is famous: 'Vous êtes juges du pré ou du champ, et non de la vie, non des mœurs, non de la religion. Vous pensez bien faire adjuger la cause à celui que vous estimez plus homme de bien ou meilleur chrestien: comme s'il estoit question entre les parties lequel d'entre eux est meilleur poëte, orateur, peintre, artisan, et enfin de l'art, doctrine, force, vaillance, ou autre quelconque suffisance: non de la chose qui est amenée en jugement. Si vous ne vous sentez assez forts et justes pour commander vos passions et aimer vos ennemis, selon que Dieu commande, abstenez-vous de l'office de juge.' *Harangue au Parlement de Rouen*, t. ii, p. 69.

good, or whom you deem the better Christian: as if that were the question being tried at law, or as if the fact of one man being a better artist, poet, orator, workman; and questions of art, doctrine, strength, bravery, or of any other qualities, were to be considered in place of the thing brought to be judged. If you are not strong enough, or just enough to control your passions and to love your enemies, as God commands you, abstain from the office of judge. There are many complaints, and the king is by way of removing the cognizance of many causes from your jurisdiction.'

The evils resulting from *épices* were attacked with the same vigour. Cases had been prolonged for the sake of fees, and spun out instead of being settled promptly. The conduct of the magistrates.

'Vir bonus est quis?
Quo multae magnaeque secantur iudice lites.'

The occasion was a solemn one, and no man in France knew better than L'Hospital the good or bad points of the legal tribunals. Nor can the recognition of Charles IX's majority be considered as a farce by any one who has an elementary idea of L'Hospital's political theory[1]. This is, however, a place in which Michelet takes L'Hospital to task for 'covering a farce with the cloak of a grave and solemn discourse.' The young king, under L'Hospital's guidance, was learning valuable lessons in statesmanship, and was not at all averse to his mentor. Removed from the unfortunate influence of his mother, with her unfaithful hand-to-mouth policy, and exposed to more bracing moral influences than the lax Court, Charles might have left

[1] The declaration of the king's majority at Rouen was an answer to the hostility of the Parliament of Paris to the measures of conciliation adopted by L'Hospital, more particularly the tolerant edict of January. This was the first blow at the supremacy of the Paris assembly, which claimed a kind of headship over the provincial parliaments. Inspired by L'Hospital, the king told the Parliament of Paris that they were created for judging cases, and not to make themselves tutors or protectors in his kingdom, nor conservators in my town of Paris. See Weill, p. 39.

The harangue is followed in time by edicts of reform.

a name respected among European monarchs. At this time there was every reason to expect good things of him. The reforms alluded to by L'Hospital were embodied in the Edicts of Roussillon and of Moulins, which are all the more remarkable from their appearing at a time in the national history so hostile to all the usual acts of peace. When the sound of clanging arms had died away and the country had grown tired of bloodshed and strife, L'Hospital's principles proved their truth by their survival, and his reforms, judicial and commercial, were amongst the best of the ancient measures on which the greatness of Louis XIV's reign reposes.

Sumptuary laws.

The sumptuary laws have been severely criticized, and must be considered later in arriving at a general estimate of L'Hospital's position as a statesman and a minister. It may be said here, that if he had a right to be severe upon the judges for partiality and profit-seeking in their judgements, he had an equal personal right to pronounce a decision adverse to the luxury of his times. His own life was conducted on the most frugal lines, amidst profusion and luxury on all sides; compelled himself to keep a sufficiently large household, he furnished a model of plain living and high thinking which was remarked by his contemporaries. Brantôme describes a dinner-party at L'Hospital's. The sole dish was soup, but garnished with abundant noble speeches and charming phrases, nor did this great personage disdain to raise a laugh with sallies of well-turned wit.

A dinner with L'Hospital.

The Royal Progress.

For some time Catherine had been projecting an interview with Philip of Spain. In the conflict of parties she felt her helplessness, and was casting about for a strong ally against the turbulence of the parties in France and the pressure from the papal courts. Her daughter's position as Queen of Spain gave her reason for trusting to an alliance with Philip, the events of the last eighteen months made her long for it. She therefore approved of L'Hos-

pital's idea of a royal progress[1], which would enable the king to see something of his realm and people, and to preside in person in the great provincial legal assemblies. The possible benefits to be derived from such a progress have been variously appraised; on the whole, it seems a somewhat useful lesson in the royal education[2]. The actual results, through Spanish intrigues, were disastrous. At various towns on the progress functions of importance were held in which state business was transacted. At Troyes the king signed the treaty by which England

Not entirely L'Hospital's idea.

A king's education.

[1] As far back as April 21, 1561, Catherine had written to the Bishop of Limoges declaring her desire for an interview:—

'Bien cognois-je les choses assez à propos pour venir là, comme à l'improviste, d'autant que je vois par vos lettres que le Roy catholique est pour aller aux courtz de Monsson, à cette septembre: et, vers la fin de juillet, l'entrée du Roy, mon fils, se fera à Paris au retour de son sacre à Reims, où je le mène lundy prochain pour estre couronné le XI[e] de may, et les Estats seront achevés à la my-aoust. Après lesquels, selon votre réponse, je me pourrois acheminer en Touraine soubz ombre d'aller voir Chenonceau: et de là le Roy de Navarre a envie nous mener en Gascoigne pour faire voir le Roy à ses subjets, d'où nous ne serions pas loing pour faire le dict voiage que je désire tant, duquel je ne parlerois point tant que nous fussions par de là: aussi il y auroit peu de compagnie et penseroit-on la chose non préméditée.' *Lettres de Catherine de Médicis*, ed. La Ferrière, vol. i, p. 189. V. Maury, *Journal des Savants*, 1871.

[2] It may be interesting to note Seyssel's remarks on the benefit of a royal progress (*Comme le prince doibt aller par ses pays et provinces*):—

'Et néantmoins pour ce que l'on ne fine pas tousiours de tels personaiges. Et l'entendement des hommes finablement décliné à son particulier est bien requis que le prince et monarque visite quelque fois son pays, mesmement des frontières, quant il nest empesché par gros affaires ailleurs, pour veoir et entendre comme son besoigne en tels ouvraiges comme le peuple est gouverné et comme les officiers se conduisent, et face toute démonstration d'en estre soigneux, faire audience et prompte provision aulx subjects qui viengnent à luy à plaintifs. Car en ce faisant oultre ce qu'il voit et entend son affaire, il contente son peuple et acquiert trop plus l'amour et le cueur des hommes que quant on le voit que par escript. Et si tient en crainte ses officiers de tous estats et de toutes sortes, et pareillement les capitaines et aultres ayant charge de gens de guerre si point en y a. Et davantaige par ce moyen se despart l'argent parmy le royaulme et mesmes aulx lieux qu'il est plus requis que les gens soyent riches pour autant quils ont à porter plus gros fez et plus souvent.' Seyssel, *La Grant Monarchie, etc.*, chap. iii, feuillet 38.

renounced Calais; at Bar-le-Duc he stood godfather to his nephew, the son of Charles II, Duke of Lorraine; at Dijon, a case was pleaded before the king in the Parliament of Burgundy, and he himself pronounced the sentence. Roussillon saw the issue of the declaration concerning the administration of justice, and all these important meetings were varied with the consideration of the state of the people and the devastations resulting from the late conflict. In Provence, Brantôme declares that the king was received with cries of 'Vive la messe!' and that L'Hospital ran some danger from being suspected of heresy by the common people [1]. His wife, who accompanied him, was of Calvinistic belief, and this may have accentuated the rumour. At the trial of a Marquis de Trans, for inhumanity in the war, L'Hospital vindicated in grave terms the dignity and power of his office against the sneering noble. 'You laugh, do you?' he cried, 'Instead of showing some sorrow and contrition in your countenance. You had better have a care, or I may round off your buffooneries by cutting off your head.' 'Ainsi alloient les choses,' says Brantôme, 'soubs ce rude majistrat et rigoureux censeur [2].'

Hostility to L'Hospital.

L'Hospital as judge on the Progress.

Bayonne.

At Bayonne the two Courts met. Philip could not be prevailed upon to come, but was represented by his wife and by the Duke of Alva. Catherine was lodged in the episcopal palace, and the whole proceedings were characterized by fêtes, whose description fills a quarto book. But it was not all fête. Alva and his colleague Manriquez were busy conferring with Montluc and Montpensier, the chiefs of the Catholic party in France. There were proposals of marriage between Catherine's daughter Margaret and Carlos of Spain; and Henry of Orleans and Juana. There was a promise given by Catherine to consider, in a

Marriage proposals.

[1] *Œuvres de Brantôme*, ed. Lalanne, vol. iii.

[2] This 'rude magistrat et rigoureux censeur' is the origin of Villemain's remark, p. 76, *Vie de L'Hospital*, but the whole description by Brantôme of L'Hospital's character should be read before judging.

synod, the Tridentine decrees and to expel all the Protestant ministers from the kingdom [1]. It is also conjectured that the cruel and ferocious Alva, full of his projects of blood-shed in the Netherlands, suggested a policy of massacre that should put an end to all Catherine's troubles and party strife by a new Sicilian Vespers [2]. In Granvelle's papers a dispatch is found dated July, 1565, in which Alva advises Philip that it was 'all important to get rid of five or six leaders,' meaning thereby Coligny, Condé, and their confederates. The Venetian Correro states that at this time Catherine was much interested by a manuscript chronicle that she found at Carcassonne, describing the troubles in France during the minority of St. Louis, and the defeat of the rebel nobles by Blanche of Castille, aided by the forces of Aragon [3]. She saw, in the picture of the foreign queen protecting the rights of her young son, a parallel to her own position. But she shrank from bloodshed [4], and was apparently content with the successful matrimonial negotiations and the long-wished-for alliance with Spain. The counsels of Spain were, however, so far followed as to bring about a stronger leaning to restoration

Alva and massacre.

Not proved.

Queen draws towards the

[1] Granvelle, *Papiers d'État*, vol. ix, p. 298.

[2] Letter written by Frances d'Alava, July 4, 1565, to some dignity unknown:

'Illustrissime Seigneur, le duc d'Albe fera savoir à Sa Majesté les résolutions qu'il a concertées avec cette Reine très chrétienne; si elles viennent à se réaliser ce sera un grand service pour Dieu et pour le roi, notre Seigneur. J'éprouve des craintes par le trouble que je prévois qu'on doit marteler ces hérésiarques et d'autres qui le sont sans avoir le nom . . . Ce qui doit principalement aider c'est le contentement que montre Sa Majesté et son ardeur pour l'exécution de cette entreprise.'

This seems to show that Catherine's keenness was not quite equal to that of Sa Majesté (Philip). M. Combes considers that the words 'marteler' and 'hérésiarques' are conclusive, but there remains the question of faulty translation. See La Ferrière, *Lettres de C. de Médicis* (introduction), vol. ii, p. 82. Catherine's indecision is again referred to by Alava in a letter of July 8: 'Je crains que les hérétiques qui sont à la cour et ceux qui y viendront ne fassent changer la reine.'

[3] A. Baschet, *La Diplomatie vénitienne*, p. 521, quoted by Zeller in *Catherine de Médicis et les Protestants*, note on p. 63.

[4] La Ferrière, *Letter to Saint Sulpice*, vol. ii, p. 327.

Catholic party.

of absolute Catholic worship[1], and from the date of the interview of Bayonne L'Hospital ceases to guide the queen's movements. She has entered upon the policy which ultimately leads to St. Bartholomew, and has taken the Cardinal of Lorraine back to favour. Her real hope lay in Spain, and she was quite unaware of the weakness of her hold upon that powerful country in whose web of diplomacy she was a mere thread.

Moulins.

The chancellor felt the uselessness of his position at Bayonne, and left before the end of the meetings to direct his activities upon some legislative work which he presented to an assembly of notables at Moulins in December. The Ordinance of Orleans, owing to the opposition of Rome, the resistance of parliament, and the troubles of war, had not been fully received. The king was favourable to L'Hospital's new movement of reform, and supported it in his discourse to the illustrious company of nobles who assembled at Moulins. The chancellor's speech postulated religious tolerance as a preliminary to any reform: unless this were granted war could never be far off. The disorders in the kingdom, especially in the administration of justice, the lasting result of the licence of the times of war, must be dealt with. But these disorders do not daunt the good citizen, nor is there any excuse for them. 'Never at any time does there exist a motive that can reasonably claim to prevent the judge from administering the law justly, the priest from interpreting the word of God faithfully, or the general from fighting loyally in defence of king and country.' The edicts proposed the diminution of a number of inferior courts, and the transference of civil cases from the municipal courts to the ordinary law-courts. The large towns resented this apparent retrenchment of privileges and opposed the edict, but L'Hospital was in this, as in all his legislative strife, ultimately the victor. Parliament, with certain reservations, enregistered the great ordi-

The Edict of Moulins.

[1] *Philip's letter to Chantonay*, La Ferrière, vol. ii, p. 90.

nance, the last of the legislative monuments reared by the indomitable work and scholarly patience of the chancellor. The earliest of the *Politiques*[1], as the statesmen who placed the well-being of the country in the first rank had been termed, he struggled unaided to advance permanently the fundamental bases of the constitution, undaunted by the apathy of some and the hostility of others. The Huguenots were restless and in many places arming. The queen's renewed confidence in Charles of Lorraine, the success of the Jesuits in their successive encounters with the Sorbonne, the Bishop of Paris, and now the University, were in themselves disquieting, but the rumour of the dark plans of Alva made the position intolerable. The cardinal was openly and warmly espousing the side of persecution. In spite of open reconciliation between the Guise and Coligny families, managed by the queen in a set piece at Orleans, he pressed for the revocation of the Edict of Amboise, and a stormy interview with L'Hospital is recorded, in which both treated each other[2] with *gros mots*. Charles IX was completely in his mother's hands, and unable to profit from the lessons of his late progress through his country.

Renewed feelings of hostility between the parties.

The Huguenots took the first step in the renewal of hostilities, and the escort of the king, hastening from Meaux to Paris, almost came to blows with Condé's cavalry. They had well-timed their opportunity. The leaders of the Catholics, Henry of Guise and Montmorency, were too young or too old to give proper service in the field. L'Hospital personally negotiated with Coligny and Condé. Unfortunately, the bad reputation of the Court

The second war.

[1] The word *Politiques* as a party name appears first in Condé's letter to the king, dated August 23, 1568:—'C'étaient en effet des politiques, c'est-à-dire des hommes préoccupés avant tout de l'intérêt général et permanent de l'État et possédant la notion la plus juste de cet intérêt.' See Martin, vol. ix, p. 235. La Place uses the word: 'Tel fut le pourparler de la Planche, homme politique plutôt que religieux.' Zeller, *François II*, p. 113.

[2] L'Estoile, *Petitot*, First Series, xlv, p. 62.

outweighed the honour and esteem felt towards the herald of peace, and the hostilities went on. Something of the spirit of feudal independence had awoke in the leaders, and lent a savage vigour to their religious fanaticism. L'Hospital's loyal moderation was incompatible with the reawakened spirit of exultant isolation. Their league of arms was the answer to a faithless policy, and a secret league which might cost them their lives unless they went first to the field. Royalty was back in its old place, a target against the confederated nobles, who only banded together against a common enemy to fall apart when that enemy was powerless. The Protestant formula, 'Cuius regio eius religio,' was easily changeable into 'Cuius regio eius princeps[1].' A hundred different reasons animated the armed bands that gathered round Paris to enforce the promises made to them and something more.

The country divided.

Montmorency on the Catholic side was for fighting, and had his second historic passage of words with L'Hospital. This time he could not impugn L'Hospital's wisdom in protesting against war. True, the royal troops were good and numerous, a form of power and justice was on the side of the Court, who had been unjustifiably attacked, Paris was devoted to the Catholic cause. But L'Hospital had only to point to the fatal damage to the country of this suicidal strife to convince his hearers. Montmorency resorted again to his favourite *argumentum ad hominem*, and taunted the logical chancellor with Protestantism. 'Dieu nous garde de la messe du chancelier,' he cried, and pressed for battle. He had his wish, and in the first engagement at St. Denis fell mortally wounded[2]. The

The battle of St. Denis.

[1] Compare: 'Une chose sçay-je bien qu'il n'y aura si petit capitaine qui ne face du grand seigneur, Seigneur qui ne trenche du Prince, Prince qui ne soit Roy.' Richelieu (?), *La France mourante.*

[2] Vieilleville's remark on the engagement is noteworthy: 'Votre Majesté, sire, n'a point gagné la bataille, encore moins le prince de Condé, mais le roi d'Espagne, car il est mort de part et d'autre assez de vaillants capitaines et de braves soldats pour conquester

peace of Longjumeau, the little peace, is said to be due to the insistence of L'Hospital, and to his 'Discours sur la pacification' addressed to the king. The pamphlet opens with the words, as old as the Greek philosopher, 'Le but de la guerre est la paix,' and is described as the work of 'a great personage and true servant of the Crown of France[1].' Would that all the pamphlets of the time were as elevated and beneficial in style and substance! The edict of tolerance was again passed, freed from the restrictions of Roussillon.

L'Hospital's pamphlet.

But the peace was nothing but a hollow truce. New causes, trivial in themselves, such as the jealousy of the young king and his brother Henry, tended under the fatal guidance of Catherine to produce the direst results. The young prince insulted the Huguenots at Court, Catherine approved of his conduct. The folly of the youth received the sanction of a queen. Threats were exchanged between the leaders: Condé is reported to have said, 'As long as the Cardinal of Lorraine is at Court peace will never be kept. I shall come to seek him, and shall dye his black robe scarlet with his blood.' The violence of this menace shows too well the irreconcilability of the parties. Lorraine, in his desire for revenge for the insult to his house in the death of the late duke, wished for nothing but the total suppression of Protestantism. He had returned from Italy full of the Roman and Spanish models of statecraft. A portion of his unpopularity had given place to a kindlier feeling in the commonalty towards the great man who was ready to stand at nothing to restore the sway of the old religion. The men who wished to see the clergy

Violent language.

la Flandre et tous les Pays-bas.' *Mémoires de Vieilleville*, vol. ix, chap. xxx.

[1] 'Le plus remarquable écrit qui soit sorti de sa plume. C'est là qu'il réclame hardiment la liberté des croyances religieuses: "Les esprits et consciences des hommes," dit-il, "ne peuvent estre ployez par le fer ny par la flamme, mais seulement par la raison qui domine les hommes."' Darmesteter et Hatzfeld, *La Littérature française au XVI^e siècle*, p. 29.

triumph by obedience to the laws, purity of life, and by sound learning were in the minority. The king, under the Catholic influence, sought by an edict to remove all the professors holding the reformed doctrine from the University, and all the Protestant judges from the tribunals. This edict L'Hospital refused to sign.

L'Hospital will not sign an edict removing Calvinist professors.

The final blow which hurled the Huguenots again into war came in the form of a bull from the Pope, permitting the king to draw 10,000 crowns from the clergy every year for the express purpose of fighting the Huguenots, and utterly destroying them, or forcing them again into the fold of the Church. Again L'Hospital flung himself into the breach in opposition to the new danger. With supreme effort he fought against the terms of the bull, and strove with might and main to soften its rigour. Again he was successful, but it was his last effort. Charged with aiding by timely warning the escape of Condé and D'Andelot, whom the queen tried to capture by a stroke of treachery, he found his presence unwelcome at the Court. The queen was ready to break with him, and under her malignant influence the young king's manner changed from that of affection to chilling dislike. L'Hospital saw that his presence at the Court was no longer useful nor desirable[1],

The Pope supports the war.

L'Hospital's final retreat from office.

[1] 'Voyant que mon labeur n'étoit agréable au roi et à la reine, et que le roi étoit tellement pressé qu'il n'avoit plus de puissance, voire qu'il n'osoit dire ce qu'il en pensoit, j'avisai qu'il me seroit plus expédient de céder volontairement à la necessité et aux nouveaux gouverneurs, que de débattre avec eux, avec lesquels je ne pouvois plus demeurer.

'Je fis place aux armes . . . et me retirai aux champs avec ma femme, famille et petits-enfants, priant le roi et la reine, à mon partement de cette seule chose, que, puisqu'ils avoient arrêté de rompre la paix et de poursuivre par guerre ceux avec lesquels peu auparavant ils avoient traité la paix, et qu'ils me reculoient de la cour parce qu'ils avoient entendu que j'étois contraire et mal content de leur entreprise, je les priai, dis-je, s'ils n'acquiesçoient à mon conseil, à tout le moins, après qu'ils auroient saoulé et rassasié leur cœur et leur soif du sang de leurs sujets, qu'ils embrassassent la première occasion de paix qui s'offriroit, devant que la chose fût réduite à une extrême ruine . . .'—Testament.

and yielding to violence that could not be withstood, with great sorrow at heart, retired to his country estate of Vignay. 'Jour funeste pour la France! c'était l'étendard national qui tombait devant la bannière sanglante des factions[1].'

[1] Martin, *Histoire de France*, vol. ix, p. 238.

VII

Vignay again.

THE calm which enveloped L'Hospital on his retirement to Vignay was ruffled at first by the attempts of his enemies to embitter a retreat already sorrowful enough. The queen was in their hands, ready in the face of the Huguenot defiance to annoy the man whose unfailing justice extended to all Frenchmen irrespective of religion. A letter to Charles found him equally averse from reconciliation, and L'Hospital was in danger of losing some of the emoluments necessary to the proper maintenance of his state as Chancellor. He retained his title and dignity, but surrendered the seals to Morvilliers, Bishop of Orleans, on the request of the king, conveyed to him by Bruslart, the secretary of finance [1]. There was a reason for his surrendering the insignia of active participation in the kingdom's affairs. The work of the last few years had told heavily upon his health [2], and he was no longer a young man. 'J'ay soixante-six ans,' he wrote to the queen, 'et suis maladifz et malade,' and to Christopher de Thou he wrote, 'Je suis ung peu malade et foible, mais j'espére que je me porteray bien.' In his Testament he alludes in similar terms to his physical trouble, and there is reason to think that failing health and premonitions that his end could not be

Morvilliers.

L'Hospital's health a valid reason for retirement.

[1] 'Le roy Charles IX, voulant faire un voyage et sachant que le chancelier de L'Hospital se trouvait indisposé en sa maison de Vignay, Sa Majesté luy envoya le sieur Bruslart alors secrétaire des finances.'—Tessereau, *L'Histoire chronologique de la Chancellerie de France*, p. 149. See also Catherine's letter written at Plessy on September 20, 1569: La Ferrière, vol. iii, p. 273.

[2] 'Maintenant me veoyant travaillé d'une maladie incurable de vieillesse, et oultre, d'une infinité d'aultres maladies.'—Testament. 'Au reste il y a presque cinq ans que je mène icy la vie de Laërte.'—Ibid.

far off made the retreat to Vignay as much a necessity as a pleasure.

Here in his seclusion he resumed his old beloved occupations, and lived the life of Laertes in his fields. Like Themistius, the protector of the ancient Christians under the Emperor Valens, he finds the truest liberty and the noblest life in his own dwelling. 'That man is great who can find repose in his own home after honourable service given to his country: the aged man is truly admirable who, freed from his lofty duties, finds occupation in his fields, plants and arranges his trees, takes pleasure in reading, and writes inspiring words for his children. This is the happiest mode of ending life, and when the hour comes he will pass away in the arms of his spouse, surrounded by his children, and his ashes will rest in the tomb of his ancestors. Driven by perverse counsellors from a lofty position, loved by the good, hated by the bad, he will not call down curses on his country, but rather will he pray to heaven to bless her, and the counsels of her new advisers. Firm and constant he waits the future events, praying only that God may spare him from seeing or hearing any peril that may come to his country[1].'

His domestic happiness.

This constant thought for France prevented Vignay from being a Forest of Arden to its illustrious master. The perils of the envious Court could not fail to affect the man who had given of his best to cleanse the policy of its members. There is something poetic in the glorious optimism which refuses to believe that justice can be effectually banished from France. Astrea Redux is ever in his mind, and often in his verses. While the din of battle is heard in the distance, and Jarnac and Moncontour

His love for France.

The third war.

[1] 'Quam tenui rexique diu cum laude bonorum
Latronumque odio, non diris atque nefandis
Prosequar ominibus patriam, potiusque precabor
Omnia fausta novis rectoribus atque magistris.'
Ad Vidum Fabrum, de se ipso, ed. 1825, p. 480. *Ad Vidum Fabrum. Epistolae*, ed. 1825, vol. ii, p. 474.

see France bleed in self-inflicted wounds, this great idealist sees the vision of an united France, with 'ung roy, ung foy, ung loy.' It is given to idealists and to poets to see facts invisible to ordinary thinkers, and L'Hospital had the same poetic feeling and love for his country as the old minstrel who sang,

'Tere de France, mult estes dulz pais[1].'

But L'Hospital was more than a poet, and his thoughts during his retreat were often occupied by serious labours on questions of political importance. It was his intention to have compiled a work on the Pandects, and to have formed a body of national law, but his works on these subjects were either uncompleted or have been lost. Francis Hotman, who had fairly close relations with L'Hospital during the time the latter held the chancellorship of Berry, published his *Antitribonien* in 1567, and was now engaged upon his great work, the *Franco-Gallia*. It is likely that L'Hospital knew of the form of this treatise, and his appreciation of any reasonable inquiry in the region of political science prompted Montaigne to dedicate the poems of Etienne la Boétie to the veteran Chancellor. The dedication was subsequent to a visit that Montaigne paid to Vignay, in which he increased his reverence for its inmate.

Montaigne visits Vignay.

The Catholics press for harsh measures.

There was need for much reformation of justice all round. Alva in the Netherlands was prosecuting a rigid and cruel war against the Protestants, Pius V was writing to Catherine not to spare the enemies of God: 'it is only by the entire extermination of heretics that the king can give back the ancient religion to this noble kingdom.' Catherine closed the war with the peace of St. Germain, and prepared for a stroke of policy such as the republican towns of Italy had often seen employed. The Spanish

[1] 'Tere de France, mult estes dulz pais,
Hoi es deserte de tanz baruns de pris.'
La Chanson de Roland, ed. Léon Gautier, vol. ii, 1861–2.

marriage programme had fallen through, and a wedding was arranged between the Princess Marguerite and Henry of Navarre, the son of Jeanne d'Albret, the staunchest of Huguenot supporters. The sequel to the ceremony has given to it the sinister name of 'les noces vermeilles.' In the dead of night the murderers of St. Bartholomew's Day began their fiendish task. The evil work was not confined to Paris. Threatening squadrons of cavalry were seen reconnoitring the house at Vignay[1]. The family and servants flocked round their master begging him to take steps for his safety: 'I will do nothing,' he cried; 'if my hour has come, it shall be as God pleases.' Later, when a troop of armed horsemen were pressing towards the house, the servants asked for orders to barricade the gates and make a forcible resistance: 'No!' said he; 'if the wicket is not large enough for them to enter, throw the big gates open.' The servants ventured to disobey, and closed every avenue to the house. The hostile band were on the point of assaulting the slender defences, and another horror would have been added to the deeds of St. Bartholomew's Day, when a larger troop of horsemen galloped into sight, and their leader in the name of the king bade the assailants desist from further attack. The band of cut-throats, emissaries of the Guise party, measured the number

Saint Bartholomew.

Danger at Vignay.

Rescue.

[1] 'Nonobstant ceste déclaration et deffenses du roy aucuns ne cessèrent de saccager les huguenotz qui estoient espars en divers lieux hors de Paris et qui en estoient absens auparavant le jour de la feste de monsr. Saint-Bartholomy, et entre aultres furent saccagez et tuez dedans leur maison le chancelier de France nommé L'Hospital et sa femme qui estoient demeurans lez Etampes ou se transportèrent aucuns tout exprès pour les massacrer, car ilz estoient des plus pernicieux huguenotz du royaume. Combien que le Chancelier ne suyvist la guerre des rebelles ains suyvioit toujours le roy estant de son conseil, il estoit fort pernicieux au royaume, d'aultant qu'il donnoit advertissement aux princes huguenotz de tout ce que le roy et son conseil entreprenoient contre eux et, en oultre, leur fournissoit des sceaux et cachetz du roy pour sceller et cacheter les lettres qu'ilz huguenotz faisoient au nom de sa majesté qu'ilz envoyoient aux Allemans et nations estrangeres pour en tirer secours.'—*Memoirs of Claude Haton*, ed. Bourquelot, vol. ii, p. 683.

and resolute attitude of the new-comers, and drew off to seek in the bloodshed and pillage of the capital a recompense for their frustrated crime. The queen's guard filed into the courtyard, and announced to L'Hospital the royal grace and pardon for the opposition he had so long made to the measures against the Protestants. 'I did not know,' answered the legislator, 'that I had ever done aught worthy of death or of pardon.' The guard remained at Vignay, half protection, half deterrent, for L'Hospital's wife was an avowed Calvinist. A weary fugitive from the massacre at Paris, disguised as a peasant woman, sought aid from the kindness of Madame L'Hospital, only to find the house full of soldiers and the household forced from fear of death to resume attendance at mass[1].

Catherine and the massacre.

Thus the wide meshes of the murderous plot enclosed the peaceful home at Vignay. The terrible eve of St. Bartholomew had passed; the crimson wedding had been consummated. The awful tragedy has branded the name of Catherine de Médicis with indelible infamy. She is the Lady Macbeth of the religious struggle, and all that was noblest in France was her Banquo. There is no excuse for the part she took in the historic crime, but it must be remembered that it was only a part[2]. Unlike Lady Macbeth she had accomplices, suggestors, instigators, who arranged the details, prepared the arms, and timed the massacre[3]. The Pope, the Cardinal of Lorraine, the

[1] *Mémoires de Madame Duplessis Mornay*, vol. i, p. 67.

[2] 'J'admets même,' says Hanotaux, 'comme authentique et comme exact cet autre mot de Catherine de Médicis: "Je ne me sens responsable que du sang de cinq ou six victimes."' *Études historiques, Catherine de Médicis et la Saint-Barthélemy*, p. 45.

[3] 'It has been regarded as the direct outcome of Alva's advice at the Conference of Bayonne. But this is not only improbable but almost impossible. Catherine's guiding motive was not religious bigotry, but personal and dynastic ambition.

'Everything points clearly to the conclusion that, if the idea lay already dormant in her mind, the impulse to its execution was sudden and arose from the immediate position of affairs.' R. Lodge, *A History of Modern Europe*, p. 121.

King of Spain, are more guilty than the queen, and deserve greater blame. With her the massacre was a simple *coup à l'italienne* assassination on a large scale, and assassination was fairly well within the limits of Italian statecraft.

Something of the feminine instinct craved for an arrangement, Coligny's death would suffice—but Coligny was only wounded—better, a sort of battle in which at least the lives of one side were spared ; looked at in this way a massacre was a real gain to the state. But these conclusions cannot be accepted in the priests, the statesmen, and soldiers, who used this as an instrument to effect their crime. One small gleam of redemption is seen in the compunction which urged Catherine to send the royal guard in time to save the great man, whose help had been so valuable in the troublous days of the king's minority[1].

Anne d'Este protects L'Hospital's daughter.

Another woman received from him a letter of grateful thanks for the preservation of his daughter Madeleine, who was in Paris on the fatal eve, and marked for slaughter by the inhuman followers of Guise. Anne of Este, the Duchess of Nemours, widow of Francis of Guise, was the recipient of the lines in which the aged poet thanked the princess for her merciful action, which saved him from a sorrow worse than death. The letter is an excellent testimonial to the gentle and kindly nature of the exalted lady, who though attached by such close bonds to the fortunes of the house of Guise, had little part or pleasure in the scenes which distracted her country.

Margaret of Savoy is concerned about her former chancellor.

Similar sentiments of affectionate respect and gratitude appear in the verses to Marguerite of Savoy, who had written in concern to inquire of his well-being after the tragic 24th of August. In these lines the chancellor gives the duchess an account of his feelings after leaving the Court. He lauds the pleasures of a country life, and

[1] But see below, *Epistola ad Margaritam, Sabaudiae Ducem* : — 'It is doubtful whether L'Hospital may not have been in Catherine's "five or six." He certainly was one of Alva's *gros poissons*.'

minimizes his regrets at leaving the helm of the state; if there are any regrets, they are more for the kingdom and the queen than for himself. He describes the attempt on Vignay, and attributes the arrival of the queen's guard of soldiers to Marguerite's intervention in his favour. Then, mindful of the old days with their happy memories, of poetic flights and literary triumphs, he cries, 'Give me back but my gaiety, my youth, my mental power and vigour, and I will hasten to pay without stint the poetic tribute you demand.' He is now getting too old to do aught but borrow[1], he will, however, in obedience to the princess who first helped him to reputation, give something from his feeble store; perhaps when she reads the poems she will see their want of polish, and release him from the task of writing more.

The last poem.

With these lines he broke the lyre that had so long resounded in praise of all that was good and beautiful. The end was drawing near, and the miserable accomplices of the massacre had to be paid. At Beslebat, where he sought safety, after a frustrated design to reach Montargis and the protection of Renée of Ferrara, he received a demand to surrender the active duties of chancellor to René de Birague. The negotiation was undertaken by Cheverney, and in his connexion with the business may be traced the hand of the Cardinal of Lorraine[2]. The request brought a flash of the old fighting spirit that had never known defeat in court or parliament; but even as he wrote, the conviction of the impossibility of struggle, the feeling of growing infirmity, and the consciousness of hidden enemies overcame his dauntless spirit. He bowed

René of Birague.

[1] 'Quanquam aberas longo spatio divisa locorum,
Nulla mihi tua defuit unquam gratia, nullum
Auxilium: sine te fractusque humilisque iacerem,
Aut me pallida mors habeat tellure repostum.'
Ad Margaritam, Sabaudiae Ducem, ed. 1825, p. 499.

[2] 'J'eus le bonheur que M. le Cardinal de Lorraine, qui était lors grandement favorisé et employé, me prit en affection.' Cheverney, *Michaud Memoirs*, p. 465.

to the stroke, loyal in this, as in all, to the king and the queen, and to his conscience. His letters to the royal ruler ask merely for that care for his wife and family which is their due. He wishes to pledge Catherine to this before he dies. 'Je suis tantost au bout de mon grand voyage, et n'auray plus affaire qu'à Dieu.' His words were prophetic. The parliament verified the discharge from exercise of office on March 11, and on the thirteenth the Chancellor died.

Nearing port.

His dignified appearance, intellectual countenance, and long white beard consorted well with his chancellor's robes, and made him an imposing figure in all the court and legal functions. To the humanists he was the reincarnation of Aristotle[1]; and to the Catholic Brantôme the very image of St. Jérôme[2]. Perhaps it was this noble exterior that captivated the witty and indifferent chronicler of the gay captains and *escadron coiffé* of the Court. It is just this indifference in Brantôme's testimony that gives value to it. Making little distinction between good or bad, he reflects like a mirror everything, without selection, within the angle of his observation. The only bias he shows is not towards virtue, but to the Catholic religion, which he loves for its contours and picturesque effects. This desire to appear *bon Catholique* makes him diminish the French Chancellor's fame in comparison with the general honour paid to Thomas More, but in spite of all doubts as to his manner of hearing mass, 'c'estoit un très grand personnage en tout et un très homme de bien et

His dignified appearance.

Brantôme,

a valuable witness.

[1] 'Ce grand homme qui non seulement ressembloit à Aristote pour le visage, comme on peut le voir en comparant leurs têtes qu'on voit dans tous les cabinets, mais qui renfermait encore dans son cœur les mœurs, les sentiments et le jugement de Solon, de Lycurgue, de Charondas, de Platon et des plus sages législateurs de tous les siècles.' J. A. de Thou, t. vi, p. 704.

[2] 'C'estoit un autre censeur Caton, celui-là, et qui sçavoit très bien censurer et corriger le monde corrompu. Il en avoit du tout l'apparence avec sa grande barbe blanche, son visage pasle, sa façon grave, qu'on eust dict, à le voir, que c'estoit un vray portraict de Sainct Hierosme, aussi plusieurs le disoient à la cour.' Brantôme.

d'honneur.' The frivolous narrator rendered a service to his country and to posterity in his involuntary tribute to virtue. The social writer, whose purpose is to entertain rather than to instruct, becomes the best witness; he cannot by any possibility be tempted to dive below the surface of things in an attempt to bring forth some support to his opinions or his philosophy. He gives himself up to the *laisser-parler* of the world, and takes all things as they come. It can only be demanded of him that he be observant, a recorder of facts, even small trifles that more serious writers pass over as unworthy of notice. The value of a chemical experiment often consists in the examination of the residues.

Hotman and Pasquier.

It is because that they write with a purpose that contemporaries, such as Hotman and Pasquier, each representing different views in society, have to be judged by external tests. Publicists are apt to confound their interests with those of the great men whom they criticize or describe; walking in the same paths and aspiring to reach the same goal, they end by pleading their own cause under the guise of praising the virtues of another[1]. But there is safety in the number and variety of the supporters of the Chancellor's reputation. Even the growls of Claude Haton convey no suspicion of anything wrong, except that *diabolical huguenoterie*, in which he envelops king, queen, and constable[2]. Thus the balance of the best opinion of the time agrees with Pasquier in corroborating his admiration for the 'tenor of that incorruptible life.'

A hostile voice.

Literary work.

In the domain of pure literature L'Hospital has established a solid claim to consideration for the elegant Latin verses which have been so often quoted above.

[1] 'Cela vient de ce que les historiens confondent leurs intérêts avec ceux des hommes illustres dont ils parlent, etc.' Vauvenargues, *Réflexions sur divers sujets*, vol. i, p. 84.

[2] 'Pour le regard du chancelier qui estoit L'Hospital, il estoit héréticque Calvinien et Huguenot combien qu'il demeurast avec le roy, etc.' *Claude Haton*, ed. Bourquelot, vol. ii, p. 525.

Their style is said to have imposed upon certain critics so far as to induce them to consider the poems as genuine productions of the Augustan age[1]. Du Faur and Sainte-Marthe published the work of their friend, and were assisted by De Thou, who considered the verses comparable in purity of style, elegance, finish, and depth of thought, with anything of the kind that antiquity has produced. Such appreciation goes beyond the mark and attaches too high a value to work which is good at a time when Latin was handled with a freedom and frequency unknown to later days. Scaliger errs on the side of depreciation, and is severe upon the style and matter. The reverential tone adopted by L'Hospital towards the great nobles and princes is wrongly attributed to servility, of which there is not a trace[2]. It must be remembered, in forming any estimate of the Odes as a whole, that they cover a long period in time, during which views entertained of one correspondent or of any particular measure might be liable to change, not from inconsistency of character, but for valid reasons. The idea of publishing them as a connected whole could hardly have been contemplated in time to prevent the repetitions, which must occur in work compiled at such long intervals and addressed to such different persons. But these unavoidable literary defects serve to enhance their value, as testimony to the character

Praised by good judges.

Not servile.

[1] 'Il serait fort aisé et principalement en ce temps qu'il a pleu à Dieu nous prester un Solon en nostre France, qui est ce grand Michel de L'Hospital, etc.' Hotman, *Antitribonien.* Including l'asquier, De Thou, Castelnau, &c.

[2] In *M. Zuerii Boxhornii ad Anonymi Satyram de Lite Animadversiones*, appended to the edition of L'Hospital's poems published at Amsterdam in 1732, the discourse 'de Lite' is treated and annotated as if a poem of considerable antiquity. Thus the phrase 'cessisse tuis de vitibus ullam,' is annotated 'Francus fuit huius Satyrae auctor, unde vitium meminit, quae quia frequentes in Gallia magnis saepe litibus materiam praebebant, Salvianus Galliam circumfusam vitibus appellavit.'

[3] 'The contrary may be stated of his odes written during office, which have a distinct air of command and are almost harangues.'

of the writer. Throughout the whole series, which portrays all his life, public and private, there is a constant strain of disinterestedness, loyalty, goodness, and, as Olivier so justly remarks, sanity. The theme of eulogy is too often forced upon him by the exigencies of his position, but there is sufficient variety in his method of informing a noble audience that

'SLOW RISES WORTH BY POVERTY DEPRESSED[1]'

to induce the modern reader to peruse these Latin verses of the sixteenth century. His works in the vernacular are less fortunate in style, though lofty and generous thoughts abound in them. His manner is too diffuse and halting to be truly eloquent, but ever and anon it burns at white heat in never-to-be-forgotten phrases. On the score of style, he is relegated to a notice and a footnote in a recent sketch of the French literature of the sixteenth century[2], while another treatise, looking to his noble message, gives him as many pages as it devotes lines to the piquant and talented Brantôme[3].

His French style not equal to the Latin.

It is the unique character of his chancellorship, due partly to his ability and partly to the weakness of the Crown, that gives to L'Hospital his prominence in the sixteenth century. The youth and inexperience of the princes whom he served gave him powers more resembling those of a prime minister in a modern state than those of the servant of an absolute monarch. The parallel ends with the man—the machinery of legislation at the service of a modern statesman was undreamed of in the days of the three last Valois. In statesmanship L'Hospital rose above the pettiness of party, though remaining well within the

Greatness as chancellor owing to unique opportunities.

[1] 'This mournful truth is everywhere confessed,
SLOW RISES WORTH BY POVERTY DEPRESSED.'
A Satire, Johnson (London).

[2] Darmesteter et Hatzfeld, *Le seizième siècle en France: Tableau de la littérature et de la langue*, 1893.

[3] Gerusez, *Histoire de la littérature française*, 1888.

lines of political action. His loyalty to the Crown was a dominant factor of his political life, but he nowhere placed the prince above the laws[1]. On the contrary, the prince who ruled all the other estates was himself regulated by the laws he made. Everything depended upon the source of these laws, and L'Hospital revived the Estates, as representing most widely the feeling of the country. He felt that parliament was only an abridgement of the estates, the means of adapting and testing the law, not creating it. Time and experience would have shown the usefulness of this liberal way of dealing with the country, which gave to the *tiers état* that opening in government so long needed and so partially obtained. The establishment of an instrument of government, the restoration of the finance, and the regulation of ecclesiastical affairs within the kingdom were the main lines of necessary interior policy. In his external policy L'Hospital strove to avoid asking aid of any other kingdom, and thereby to relieve France from foreign interference. An active look-out was necessary on the coasts exposed to English and Spanish attack, and for this L'Hospital was prepared to make sacrifices. This was justifiable warfare, and perhaps healthy; it provided the nobility, the fighting estate, with occupation, and afforded field for the practice of patriotic deeds. The outbreak of civil war changed all this and brought new problems of statesmanship to be read and solved.

Foreign policy.

To these problems, which contained the factors of bigotry and intolerance, he brought a moderation and an attitude of patient tolerance seldom seen in such a desperate crisis. His theory of kingly rule and collaboration of the four estates was rudely treated by this devastating storm of civil strife. The machinery he had constructed was broken into a myriad pieces; for 'ung loy, ung roy, ung foy' there were a legion of commanders, want of trust, and absence of

Mode of dealing with faction.

[1] See p. 113, analysis of Harangue at Estates of Orleans:—'The king holds his Crown from God and the *ancient law* of the kingdom.'

law. His moderation was misunderstood. Bayle accuses him of swimming between the streams, but the facts are against this charge. He remained by the king's side: but as he could not comprehend any part of the king's people being really hostile to the Crown, he seized every opportunity of urging peace on both sides. Not for a moment could he tolerate division in the state, a kingdom within a kingdom: he granted toleration in all matters of religion, but for sedition he had no argument but the sword. The unity implied in the words *ung foy* was not necessarily uniformity, but this tolerant idea was understood by neither Protestant nor Papist. An author writing in the early days of the Second Empire, obviously apologizing for the *coup d'état* and applauding the plebiscite, blames L'Hospital for neglecting the people in his policy, and lauds the people, who are led by a legislator, politician, and a warrior like Caesar, Charlemagne, Henry IV, and—Napoleon, a hero who raises an expiring nation on his arm, stops with his sword the oscillations of the balance, and inaugurates progress. This is the kind of criticism to which great men are exposed by small politicians[1]. The writer of the heroics above may have read a few years later Victor Hugo's account of the same *coup d'état*, but it is called *L'Histoire d'un crime*. L'Hospital's moderation was not the feebleness of mediocrity, but the restraint of genius.

Unity not uniformity.

False criticism.

Dealings with the Church.

The partisans of ultramontanism have always resented L'Hospital's interference with the goods and revenues of the clergy. This was sufficient to procure for him the title of Atheist, and the far more dangerous appellation of Calvinist. Some colour of semblance was lent to the latter by his insistence on moral reform and revival of discipline among the disorderly members of the ecclesiastical corporation, and by the fact that his wife was an avowed Protestant. But there is no reason whatever to believe that

[1] M. Bandy de Nalèche, avocat à la Cour Impériale à Paris, *Nouvel Essai sur l'esprit de L'Hospital*, 1857.

his attendance on mass was a sham. The movement for reform and renewal of discipline was vigorously preached in the Church by many a cowled and tonsured brother of unimpeachable orthodoxy. The question resolves itself into a political and economical one. Was there a precedent for alienation of benefices? The Concordat might be deemed sufficient answer, but corroboration is again afforded by the practice of the Church itself. Cardinal de Tournon had recently sequestrated forty-two cures for the benefit of education, and higher authority was to be found in the Pontiff's permission to raise money by the alienation of religious properties, as a bribe to Catherine for the arrest of L'Hospital and the Bishop of Vienne. The Chancellor could hardly demand further authority, even if it were not a matter of policy to turn the funds intended for persecution to the general good of the kingdom. These considerations may alone suffice to show why L'Hospital did not have recourse to a national loan, such as Tournon had counselled to Francis in 1543. The edicts of toleration, in which mercy tempered justice so effectually, are the last rock of offence to the offended Catholic party. But a very brief comparison of the Cahiers of the Estates of Orleans with the articles of the ordinance shows L'Hospital under a new light as the preserver of the dignity of the clergy and the guardian of their property against the radical proposals of the nobility and *tiers état*[1]. Regulation and reduction to proportion are the constant results of the Chancellor's work upon the somewhat incoherent and often chimerical schemes suggested by the various orders. This instance of moderation, as distinct from political trimming, deserves

Not a destroyer of the Church.

Moderation not trimming.

[1] Compare article 12, Orleans granting privilege of alienation and demands of the *tiers état*. Picot, *Histoire des États Généraux*, vol. ii, p. 243.

Also Picot, p. 245:—'Mais le chancelier, pour ne pas heurter la dignité du clergé, voulut réserver au concile et à l'action intérieure des évêques une réforme que la discipline ecclésiastique commandait et que l'intérêt de la lutte contre l'hérésie allait rendre pressante.' Bodin quoted by Bandy de Nalèche, vol. xxix.

notice: it was lost sight of through the same distorted judgement that has been deplored in all the other criticisms derived from party sources. Richelieu, the potent minister of fifty years later, glances back over the intervening reigns to the times of L'Hospital, and fashions a dialogue between the Chancellor and the Bayard, the bravest knight of the century. The subject is the distressful state of the country, 'La France mourante,' under internal divisions of the feudal leaders, and is little short of being a direct recognition by one[1] great man of the work of another. But it shows much better than any factious criticism can do the reason for the want of immediate success in the schemes of statesmanship inaugurated by L'Hospital. Force of some kind was absolutely necessary. 'La légèreté et l'inconstance des Français ne peuvent être vaincues que par la présence de leur maître[2],' writes Richelieu, and L'Hospital instead of Bayard had Catherine. The one honest and capable soldier of the time, Coligny, was warped in his judgement and actions by the pervading blight of sectarianism.

Richelieu's opinion.

Legislation.

In the legislative work of L'Hospital will be found his best claim to recognition and the best tests for judging his powers. His efforts were marked by the lines of his personal character, and by a strong desire to ensure respect for the rights of each individual, both of person and of property. The work necessarily partook of reform and construction, the pruning away of abuses, and the development of a system of law founded on general principles as distinct from the particular incoherent and often contradictory customs[3] that arose from attempts to grapple with each

[1] Richelieu (?) puts the following words into Bayard's lips:—'Quoy que s'en soit vous auez entendu vostre chancelier de L'Hospital, touchant vos infirmitez internes, il n'y a rien a adjouster après luy.' *La France mourante*, a dialogue between France, Bayard, and L'Hospital, attributed to Cardinal Richelieu, see p. 59.

[2] Quoted in a syllabus of lectures on the age of Louis XIV.

[3] The numerous systems in use in L'Hospital's time may be grouped under three main heads—City (communal) Charters, Municipal Statutes, and Provincial Customs. See Violet, *Précis de l'histoire du droit français*.

case on its own particular lines. To evolve this system he legalized the customary or common law, which represented the national needs better than the Roman law, compiled under different conditions for a different race of people. At the time that he undertook the task there were, in addition to the multitude of conflicting rules, two great defects, want of method and a turbulent state of society unsuitable to the carrying out of reforms, that need above all things a settled social condition. His practical knowledge of the courts greatly aided him in his plans of generalization and unification. For ages the need of one standard of weights and measures had been apparent [1], but efforts to establish it had proved partial or abortive. The rules adopted by the Edict of Orleans laid down principles which were employed by future statesmen [2]. Useless courts and jurisdictions were suppressed, the edicts were to be published in French, and laws were rendered executive on their publication. Expedition was thus obtained in civil procedure, and criminal processes were rescued from cruel delay by a kind of Habeas Corpus Act, ordering, under heavy penalties, the trial of prisoners to take place within a fortnight of arrest. Merciful clauses commanded the cleansing and sanitation of prisons, which were too often places of torture for those, innocent or guilty, who were confined within their loathsome walls. Starting from general principles, he proceeded to matters of minute detail, whether in regulating the duties of subordinate officers of the courts, drawing up rules for innkeepers, or in a hundred different ways showing an attention to small things, but reducing all conflict of rules to a minimum. An instance

Practical knowledge of the working of the law.

[1] Commines writes:—'Le roi Louis XI désirait fort qu'en ce royaume on usât d'une coutume, d'un poids, d'une mesure, et que toutes les coutumes fussent mises en un beau livre.'—*Mémoires.*

[2] Colbert:—'The illustrious Du Moulins, in his work on the customs, laid the foundations of the French civil code. Loysel was now engaged on his forty years' task in the compilation of the Institutes coutumières.'

Detail of method.

of his method may be worth attention. A certain widow, Anne d'Allègre, married a Georges de Clermont, and bequeathed all her property to him. This would have been nothing more than a simple token of trustful love, but Anne d'Allègre, by her first marriage, had seven children, to whom Georges de Clermont proved the reverse of generous. The poverty-stricken orphans pleaded their cause in the courts, and the case created considerable stir. The Roman law provided a more equitable arrangement, and certain provincial customs furnished precedents[1]. Under their particular custom the children could claim nothing. L'Hospital drew up the well-known article of 'Secondes noces,' which directs that the husband shall only share as a child. This became the law of the kingdom, and is to this day an article of the Code Civil[2]. The conflicting practice of local custom was thus reduced to law, and the application of a precedent changed for the article of a code. Curiously enough the article provides an instance of the old rule 'Omnis in iure civili definitio periculosa est': there is no provision for the marriage of a widower in L'Hospital's article.

The Crown as a unifying force in the law.

Sumptuary legislation and restriction of unlicensed printing.

The edicts restricting the liberty of the press and for the repression of luxury need examination, as they, together with certain ill-comprehended measures affecting commerce, have afforded considerable opening for criticism. Freedom of the press is an imposing title for rights which were not too well understood and often outrageously abused in the early days, when printing offered an arm of offence to every scurrilous pamphleteer. The Church had wisely come first on the ground, and a bull of Leo X[3] directed that no book should be printed till approved by reasonable authority. This of course touched some of the pioneers of the Reformation, and was likely to become an instrument of persecution, but no one will say that some form of control is unnecessary.

[1] Justinian, bk. v, tit. ix. [2] Code Civil, art. 1098.
[3] Dated March 4, 1515.

Modern experience has settled the matter by insisting on the publisher's name appearing on each document, and the absence of this on any political paper whatever is very justly a penal offence. To any one reading the wild and extravagant libels of the sixteenth century, the thought must often occur that it would have been an excellent thing if the censorship had been even more rigorously exercised. The Edict of Orleans contains an article[1] forbidding the printing of any almanac or book of prognostication without the review and consent of the bishop. This surely is not much to charge against the framer of the ordinance[2]. No apologist for the liberty of unlicensed printing could object to such matter being consigned to the limbo of the censor's waste-paper basket.

The Sumptuary laws are in the Cahiers of the Estates.

The articles against luxury, which included a prohibition of the public crying of hot pies in the streets, on the grounds of exposing the piemen to idleness and the public to indigestion, have been cited by those who wished to compare France to a sixteenth century Laputa. In these laws L'Hospital was following the wishes of the members of the Estates who, for various reasons, desired restriction placed upon the growing habits of extravagant indulgence, which they regarded[3] as a symptom of social and moral decadence. But there is every reason to believe that he heartily concurred in the promulgation of these somewhat useless formulae. The Fannian and Oppian laws, drawn up in what were deemed the virtuous days of the Roman state, were very severe upon the little follies of their day[4]. L'Hospital, in his satire against luxury, sighs for the severity

[1] Edict of Orleans, art. 25.

[2] Condorcet is very severe on this. 'Il existe une loi qu'il est affreux de voir signée du nom de L'Hospital, celle qui défend sous une peine capitale d'imprimer un livre sans permission.'—*Œuvres*, vol. iii, p. 550.

[3] Picot, *Histoire des États Généraux*, vol. ii, p. 345.

[4] 'O Romanarum legum veneranda potestas
Sublata e vivis! O Fannia et Oppia leges.'
Satyra. *Sermo in Luxum ad Chr. Thuanum*, ed. 1825, vol. iii, p. 302.

L'Hospital thought legislation desirable.

of the antique times. All the evils of France, he thought, were in part due to effeminacy, vanity, and the excessive love of good cheer. Nor was he alone in his opinion. A very different man, writing two centuries later, in the corrupt times of the Dubarry and Pompadour, cries, 'Luxury corrupts everybody, both the rich man who enjoys and the wretch who covets it. Like the noxious winds from the south, which cover the fields and pasture with devouring insects, remove substance from living creatures, and bring famine and death into every place where they make their presence felt: so luxury in any state, great or small, ruins and destroys the labourer and the citizen to nourish a crowd of wretched beings whom it has created[1].' L'Hospital's tastes were simple, and he was unable to see why others should not live in a similar modest fashion, so he lent all his weight to the insertion of the sumptuary laws in the Edict of Orleans. The Court was in sad need of a reforming hand, and L'Hospital's logical impartiality could not rest satisfied with a half-hearted measure of improvement. He therefore escapes the censure of Adam Smith, passed upon princes and rulers who make sumptuary laws for their people, and are themselves, without exception, the greatest spendthrifts in society.

He includes the Court among the persons needing reform in sumptuary matters.

Uselessness of sumptuary laws.

Modern science has shown the futility of L'Hospital's attempts at sumptuary legislation, but the worst that can be brought against them is that they are useless[2]. The

[1] J.-J. Rousseau, *Bibliothèque portative*, p. 656.

See Montesquieu:—'Comme par la constitution des monarchies les richesses y sont inégalement partagées il faut bien qu'il y ait du luxe.' Vol. vii, ch. iv, p. 85.

And Montaigne:—'The manner wherewith our Lawes assay to moderate the foolish and vaine expenses of table-cheare and apparell seemeth contrarie to its end. The best course were to beget in men a contempt of gold and silk wearing as of vaine and unprofitable things, whereas we increase their credit and price: a most indirect course to withdraw men from them.' Montaigne translation, *Florio*, bk. i, chap. 43.

[2] 'We have learned at last that the intelligence of no government is competent to guide or control the private life of its subjects: that such an interference is as futile as it is impertinent, and the inductions

taxes levied upon articles of luxury such as plate, high-priced wines, and unnecessary accessories to the table, are due to an economical rather than an ethical reason, in the attempt to place the burden of taxation as much as possible on the class that has a superfluity of property.

With these exceptions, the legislative fabric of L'Hospital is singularly free from the personal prejudice[1] which, Montesquieu says, discolours the work of great law-makers. The laws with the edicts of tolerance form an imperishable monument of the principles that guided his life. Though for the moment they failed to be accepted or understood, and though they disappeared from the statute books in the universal crash of the Revolution, they had their era of triumph, and are still valuable as examples of some of the noblest efforts done for mankind. The Edict of Nantes is the legitimate outcome of the policy, so earnestly proclaimed under such difficult conditions by the great Chancellor. An English traveller visiting France seventy years after L'Hospital's death found the Protestants enjoying full liberty of conscience: revocation, though talked of, was suspended because it was not considered good policy. This is the victory of the Politiques.

The great results.

L'Hospital has had many talented apologists for his work. As an academic figure he appeals to scholars for different reasons. The Protestant theologians[2] approach him with something like affectionate veneration, and the lawyers see in him the best traditions of their profession joined to the accents of lofty patriotism, always dear to the sons of Gaul. The consequence is that the majority of the accounts of him are cast in the form of Éloges[3], and if inspired by party or professional feeling, testify

Admiring criticism.

of the many . . . are incomparably wiser than the edicts of the few.' Adam Smith, Note by Thorold Rogers, vol. i, p. 350.

[1] 'Les lois rencontrent toujours les passions et les préjugés du législateur.' Montesquieu, *Esprit des lois*, vol. xii, chap. xvii, p. 494.

[2] Seitte, Thesis published at Montauban.

[3] Guibert's *Éloge* was translated into English under the title of *The Patriot Minister*.

warm appreciation for the great Frenchman of the sixteenth century. This universal consensus of admiration postulates a dissentient: he is found in Michelet, 'a man of rare mettle and genius who unfortunately devoted his powers to labour for which he was eminently unfit[1].' Michelet is still read, though he has small claims for regard as a historian or philosopher. He seems to enter into that class of men who without any animosity or any particular reason think it a duty to attack an established reputation, and to malign the authority of previous judgements. The one idea of this school of writers appears to be an affectation of independence of opinion, and the fear of judging in accordance with preconceived views. The desire of notoriety tempts them with confidence to hazard propositions that the basest envy might hesitate to advance. Michelet's vogue and popularity make it necessary to proclaim his weakness aloud, lest any loss of reverence should accrue to the gentle statesman whose character he has unduly besmirched. There is something attractive and uncommon in the character of the minister who in times of treachery and self-interest devoted his life to the welfare of his country, instead of seeking to line his pockets from the public treasury: and at a time when party strife dominated general policy cried, Peace! when such a word meant sure and certain loss of popularity. To many great men admiration or respect may be conceded, but L'Hospital demands affectionate regard. And this esteem is no weak sentiment of compassion for a good man who has tried and failed, but an ennobling attachment to a strong and virile nature, that resolutely undertook a labour of extreme difficulty and of personal risk, to remain faithful to the end. Few men could say with greater truth:

Michelet not in the ranks of admirers.

A patriotic citizen and a good man.

> Nec vitae animaeque peperci,
> Dum patriae prodesse meae prodesseque regi
> Spes fuit[2].

[1] Blackwood, *Review of Michelet's History*, 1841.
[2] *Epistola ad Chr. Thuanum P. P.*, ed. 1732.

Clear in his reasoning, he fully understood the value of his work for his country, and as frankly stated it. It is no disparagement to his reputation to make this assertion. No mere flash of patriotism prompted him to serve his country, no evanescent throe of sympathy made his soul abhor the horrors of his time. He is the modern ideal of Aristotle's good man whose motive is τοῦ καλοῦ ἕνεκα. Like a new Atlas he shouldered his world of cares heedless of the chances of its broken fragments covering him in some great convulsion[1]. In quieter times he might have been more useful to his fellows, because his measures would have been successful, but the dark environment only serves to enhance the sheen of his charity and justice. He is the living refutation of the dark tenets of Machiavellianism, and a lasting proof of those immutable laws of justice and humanity which alone ensure the permanent well-being of a nation.

His work is satisfactory when tested by the right standards.

Better than the times he lived in.

[1] 'Si fractus illabitur orbis,
Impavidum ferient ruinae.'—HORACE, *Carm.* III. 3.
Legend on L'Hospital's coat-of-arms.

APPENDIX

Extracts from MSS. Collection Dupuy 474 *now first published.*

Extraicts des procès faicts aux Sieurs de Vervins et Du Biez.

The Extracts given below consist of:—

A. The seven first folios, *recto* and *verso*, of the depositions of the witnesses in the Vervins Case. This in the MS. fills twenty-seven folios, and is a summary of the evidence taken by L'Hospital from January to April.

M. Dupré-Lasalle, whose personal kindness the writer begs respectfully to acknowledge, says of the fragment in his *Vie de L'Hospital* (p. 142): 'Nous n'avons pas touché sans être ému ces pages écrites par le grand homme. Nous y cherchions le secret de sa méthode: nous y trouvions la trace de ses veilles: il nous semblait le voir à ces heures de recueillement où le magistrat, seul avec sa conscience, loin des regards de la foule, loin des bruits de l'audience, poursuit la vérité au milieu de recherches laborieuses et souvent pleines d'angoisses.'

B, C, D. Extracts of episodes of interest to the social and military history of the time. There is a value in this evidence elicited by a skilled lawyer from the soldiers and townspeople which places it as information on a level with good contemporary memoir writing. The frequent dramatic touches, the presence of the women spies, the reluctance of the English soldiers to go, without being beaten by their officers, to the attack, are only a few of the many interesting details. The English soldiers who came on Monday, Tuesday, and Wednesday crying 'Couppe gorge sabmedi frencheman' are of the blood and lineage of the deathless Ancient Pistol, and his shogging company. From such models Shakespeare painted the characters whom he sends to France with 'that Star of England,' Henry V.

A.

VERVINS.

Boulogne fut assiégée le xix^e^ jour de Juillet mil vcxliiii et rendue F. 1 r°.
aux Anglois le xiiii Septembre dudit an par ledit Sieur de Vervins, chef de ceux qui estoient dedans et advis des capitaines Gorgues d'Ez, St. Blymont, Colincourt, Lignon et autres.

Dict ledit de Vervins que ladicte place n'estoit tenable et ne l'eust peu tenir pour plusieurs causes.

La première à cause des bresches grandes et surtout faulte de vivres.

Faulte de pouldres, artillerie et canonniers et munitions de guerre, faulte de gens et faulte de cueur de ceux qui estoient dedans et famyne.

Le procureur du Roy soustient qu'elle estoit en deffense et munie souffisamment de toutes les dites choses et que ceulx de dedans comme souldats et habitans de la ville avoient bon cueur pour la deffendre.

Plus dict que ung an auparavant le Maréchal Du Biez fut adverty par un anglois qu'il y avoit des traistres autour de lui et des principaulx, et dès lors se doubta dudit Vervins et néantmoins lui bailla la charge de Boulogne.

Après que ledit de Vervins y fut et le siége mis sans empescher F. 1 v°.
aulcunement les approuches et tranchées des ennemis, et qu'un nommé Ancel de Canlers alla au camp des ennemis secrètement par plusieurs fois et depuis plusieurs flesches ont este tirées dudit camp en la ville avec escriteaulx portant ces motz 'rendez vous' et de la ville au camp aussi portant ces motz 'au Sr. Vervins' et fit cryer qu'on lui portast toutes lesdites flesches.

Ledit de Vervins a sorty de la ville, a este au camp des ennemis durant le siége s'être tenu, a faict ouvrir la poterne dont Boncourt avoit la charge aussi secrètement et bailla la clef d'icelle à qui bon lui sembloit.

S'est promené sur les murailles de nuyct avec angloix prisonniers.

A envoyé au camp des flacons pleins de vin et lui ont été envoyez par les anglois flacons pleins d'or et d'argent comme l'on dict.

Ung vase aussi plein d'or et d'argent.

A envoyé ung laquaiz au camp du Duc de Norfolk et du Comte de Bures qui estoient devant Monstereul.

Fut adverty par un anglois prisonnier prins à la bresche et blessé F. 7 r°
d'ung canon à une jambe que les anglois bailleroient ung assault (ii. 1°.)
le jeudy suivant et se retireroient s'il estoit soutenu.

Lequel assault fut baillé et soutenu et néantmoins la ville rendue et bien que par flesches que l'on tira fust aussi adverty que secours leur venoit et qu'ilz tinssent bon.

Le vendredy xii^e^ jour de Septembre il assembla les capitaines sur la reddition de la ville lesquels furent d'advis qu'on demandast bonne composition et qu'on en advertist le Roy.

F. 7 v°. (ii. v°.) Ce néantmoins le lendemain il envoya au camp des ennemys lesdit Srs. de Saint-Blymond et d'Ez pour traiter la reddition de la ville combien que le Roy d'Angleterre, adverty de la paix entre le Roy et l'Empereur, se fust retiré à Guynes et eust vouloir de lever son camp, et le xiiii^e^ jour ladite ville fust mise en mains des ennemis.

Lesdits sieurs de St-Blymond et d'Ez firent accord de ladite reddition sans y comprendre les habitans de ladite ville, depuis ledit de sainct Blymond n'a retourné dedans Boulogne.

Le mesme jour que ledit accord fut fait ledit de Vervins chassa hors de la ville iiii^c^ hommes de mestiers gentilz compaignons lesquels vouloient servir le Roy en ayant seulement la munition. Lors de la composition le mayeur et habitans rempararent tellement que la ville estoit plus forte que jamais et se retiroit le Roy d'Angleterre et était à Guynes.

La composition que ledit de Vervins fit signer à sa décharge par surprinse à aulcungs capitaines qui luy demandèrent et en default de se faire vouloient tenir la ville et mourir sur la bresche et menassèrent son capitaine qui leur avoit porté signes de tuer s'ils ne leur rendoient, à quoy ledit Vervins faignit de l'avoir perdue et néantmoins la rendit pour contenter lesdits capitaines. La maison ou ledit de Vervins estoit logé ne fut battue de l'artillerie combien qu'elle estoit la plus haulte ayant girouettes et tournelles et les voysines ont esté gasteez.

F. 8 r°. (iii. r°.) Ledit de Vervins le jour qu'il rendit la ville parla au Roy d'Angleterre estant près de la maladerie de la Madeleine, puis passa oultre et néantmoins retourna coucher en ladite maladerie avec les anglois.

A eu plusieurs lettres missives du Bailly de Guynes et escriptes à luy faisantes mention des promesses faites audit de Vervins. En a eu de secrètes du Roy d'Angleterre.

Depuis la somme de xviii^c^ angelotz ou doubles ducatz fut délivrée au château du Habarc en Artois à Boncourt et Vervins.

Vervins. A este au camp de Flormes où le Roy d'Angleterre avoit quelques clevois et autres allemands que ledit de Vervins avoit chargé comme lieutenants desdits lansquenetz.

A fait parler du mariage de la bastarde de ce Roy d'Angleterre qui n'en voulut point, disant qu'elle n'espouseroit jamais ung traistre et avant que mettre le siége à Boulogne le Roy d'Angleterre fit faire commandement aux françois demeurans en ses pays d'en

sortir et retint leurs femmes et leurs enffans, dont l'ung nommé Jehan Puissant se retira devers le Mareschal du Biez qui le fit archer de sa compagnie, le mist dedans Boulogne et souvent estoit avec ledit Vervins et sitost que la ville fut en la puissance des angloys ledit Puissant retourna vers sa femme et ses enffans. F. 8 v°. (iii. v°.)

Ledit Vervins a faict faire par les subjects de Boulogne l'hommage et serment au Roy d'Angleterre.

Confessions.

A confessé que le contenu en ladite composition faite entre luy et le Duc de Suffoc n'a esté communiqué aux Capitaines combien que les capitaines qui ont signé furent d'advis seulement d'envoyer devers le Roy d'Angleterre pour essayer si on pourroit avoir quelque honneste composition et avoir x jours pour en avertir le Roy.

Saint-Blymond et d'Ez et Crisebot Capitaine des Italiens y furent envoyez pour faire ladite composition par luy seul et sans en parler aux dits capitaines et fault notter qu'il a signé ladite composition et accordé le contenu sans en advertir lesdicts capitaines lesquelz traictèrent et signèrent le 12 Septembre, et le lendemain xiii[e] ladite composition fust faicte et le 14 la ville rendue environ quatre heures après midy.

Du xxviii Janvier.

Fust arresté qu'il est prouvé que despuis l'assemblée des capitaines faicte ledit xii de Septembre que aultre assemblée n'a esté faicte.

Par les confessions de Boncourt, Lignon, Colincourt et Jehan Rocques ne fust parlé des articles contenuz en ladite composition ni de ceulx qui iroient pour la faire devers le Roy d'Angleterre, dumoins ainsi que lesdicts articles y sont posez, car Lignon, Pasques et Colincourt disent qu'il fut advisé de scavoir ce que le Roy d'Angleterre vouldroit dire et demander delay de x jours pour en advertir le Roy et ce pour se remparer et aussi pour pouvoir mener iiii ou v pièces d'artillerie et avoir convoy, les autres dyent qu'il ne fut parlé par le menu desdits articles et mesmes ledit de Vervins sur ce interrogé et sur les articles contenus les habitans de Boulenois et Vassaulx y pouvoir demeurer en faisant le serment au Roy d'Angleterre dit que son intention et celle des Capitaines estoit d'avoir des anglois honneste composition pour en advertir le Roy et ne faire appoinctement honteux ains plustost mourir à la bresche. F. 9 r°. (iiii. r°.) Advis des Capitaines assemblés le Vendredy.

Ce néantmoins ledit jour fust arresté que ledit De Vervins seroit confronté à ceulx que dyent qu'il ne fut parlé de rendre la ville ny

l'artillerie, pouldres, vivres et de faire le serment par les habitans et subjects de Boulenois.

Le dimanche les capitaines signèrent et pourquoy.

Combien que l'assault fut tenu le xii Septembre ce néantmoins ne fut signée par ledit de Vervins et aultres capitaines que le xiiii[e] jour que la ville fut rendue lesquelz signèrent pour recouvrer l'aultre par eux signée par surprinse à l'advantaige dudit de Vervins et pour la crainte des ennemys dont y avoit la plus dure de par la ville.

F. 9 v°. (iiii v°.)

Ledit de Vervins confronté à Boncourt a confessé à avoir parlé une fois durant le siége à Pierre St. Martin.

Confrontation de Boncourt à Vervins.

Ledit Boncourt et les tesmoings lui ont maintenu que Pipemont et Canlers parlèrent au Bailly de Guynes et dès lors on commenca à jetter flèches du camp dans la ville et de la ville au camp.

Qu'il a envoyé quinze jours paravant la reddition de la ville Saint-Blymond au camp des anglois parler au Bailly de Guynes.

A fait laisser ouverte la porte de la tour de Gayotte par quelquefois de nuit dont ledit Boncourt avoit la clef.

Luy dit qu'il a laissé entrer les anglois dès le soir, que le lendemain la ville fut rendue et ledit soir le bailly de Guines et le contrerolleur de Calaiz et un anglois y vindrent et couchèrent en la maison de Boncourt et le lendemain allèrent vers ledit Vervins et disnèrent avec lui et il ouvrit la porte aux prisonniers pour rompre la porte qui étoit murée affin de faire entrer les anglois. Dez le sabmedy ou dimanche de bon matin plusieurs anglois estoient dans Boulogne.

Anglois dedans Boulogne dès le sabmedy et dimanche de bon matin.

Tesmoings.

Pierre Canlers et Narmot ont esté plusieurs fois au camp des ennemis et sortis par la tour de Gayotte durant le siége et ledit de Canlers parla au Bailly de Guynes.

Nicolas du Castre sieur de Roucy.

Parlements, confrontation à Vervins et Boncourt.

Colin Caron prestre lequel parle aussi avoir vu ledit Vervins le sabmedy au soir entre le Bailly de Guynes et le contrerolleur de Calaiz ayant lours crux rouges et ledit Bailly est venu en la muraille de nuyt pour parler audit de Vervins et conformément à la lettre missive; que les anglois ont tiré flesches dans la ville ayant lettres que l'on portoit à Vervins dont ledit Canlers fut blessé d'une, que St. Blymond alla au camp des anglois iv jours avant la reddition, que ledit de Vervins a parlé audit St. Martin, que ledit St. Martin venoit souvent dans la ville de Boulogne durant le siége, parle aussi que l'on disoit que on tiroit des fleches de la ville au camp des anglois.

St. Blymond au camp des anglois avant la reddition.

Robert Costeur marchand.
Nicolas Prolin practicien.

Jehan le maistre canonnier et tabourin du sieur d'Aiz et entre autres aulcungs dyent que ledit sieur d'Aix a pareillement parlé quelquefois audit Bailly de Guynes. Le Sr. d'Aix parle au Bailly de Guynes.

Roger Givry
Olivier Wrans
Jehan de Pely
Ancelot Regnault
Adrian Macopet
Henry de Vercourt
Anthoine de Joy
Olivier Rozay
Gilles Fromont
Roland Fromond
Nicolas Buée

Messieurs Olivier Rocher
Anthoine de Bernamont
Mr. François Brice
Jacques de Pont
Jacques Vilers
Mr. Jacques Rochegay
Thomas Rozay
Mess. Marc Tramners
Guerin de Saugere
Jehan le Grand.

Du xxii Febvr.

Du xxiii Febvr.

Aulcungs desdits tesmoings dyent que Boncourt parla audit Bailly de Guynes sur la Gayotte et lui recommanda la maison de Fouguerolles et pareillement ledit de Vervins à . . . que de Vervin lui envoyoit des flascons et panier couvert au camp et qu'on lui rapportoit pareillement des prunes à lui envoyeez par ledit Bailly. Boncourt. F. 10 v°. (v. v°.) Flascons et pastez envoyez du camp.

Un desdits tesmoings parle d'un pasté qu'on porta du camp à Boulogne par une eschelle et celui qui le prins dist qu'il pesoit beaucoup, qu'il fut dist qu'il se gardast d'en parler, car si Vervins le scavoit le feroit mourir.

Arresté par tesmoings et confessions des parties que la tour françoise étoit de bonne deffense lors de la reddition. La tour françoise.

Confesse Jehan Vaucquier qu'on a eu grand tort de rendre la ville, ce que ledit Vervins confesse et s'excuse sur ce qu'il dist qu'il ny avoit que trois ou iiii^{c} hommes de guerre, mais en y avoit vii^{c} sans ceulx de la ville et les mortes payes, les capitaines et gendarmerie. Nombre des gens de guerre.

Jehan le Grand
François de Cempy
Chrestien de Somolard
Gerardin de St-Omer
Vyard Meldemon, non confronté

Anthoine Marc
Robert Saulvaige
Honoré Lallier
Charles Fraigners.

Du xxv Fév.

Toussaint le Cointe
M^{e} Jacques de Roux

M^{e} Arnoul des Marques
Anthoine de Bronsval.

Du xxvii Fév.

Du mercredi xxvii^{e} jour de febvrier : F. 11 r°. (vi. r°.)

Gerard Moreau
Jacques Bonvyn
Jacquet du Rieu
Anthoine Blondel Sénéchal de Ponthieu
M^{e} Nicole Villecoq, non confronté
Anthoine de Moy, aussi non confronté
Anthoine d'Auvergne
Eustace d'Orlincourt, non confronté.

Vervins au camp des ennemys et xviiiᶜ doubles ducatz recuz.

Symon Begues a veu ledit de Vervins au camp des ennemys devant Boulogne en la tente d'ung seigneur anglois prochaine de celle du Roy d'Angleterre et de la entrer en celle dudit Roy et depuis ledit de Vervins et Boncourt au chasteau de Habarc près Arras ou xviiiᶜ doubles ducatz furent bailly audit de Vervins.

Du jeudy dernier jour du mois de febvrier a esté arresté qu'il est verriffié tant par tesmoings que confessions de Vervins et des Capitaines que tout ce qu'on faisoit dans Boulogne estoit incontinent sceu par les ennemys.

Confesse ledit de Vervins qu'il a sceu que les ennemys avoient faculté de pouldres et autres munitions.

Du jeudy dernier jour de febvrier:

Nicolas Pormentin
Jehan Bailly, palefrenier du Sr. de Rieux, ou Comte de Bures
Pierre Mercier, sommellier et premièrement laquaiz
Jehan Serice
Nicolas Mercier
Pierre Meurice, non confronté
Ledit Jacques Boutin.

Aulcungs desdits tesmoings comme ledit Pormentin dyent avoir veu dedans le chasteau longtemps par avant la délivrance de Boulogne le Bailly de Guynes et Sr. Martin avec ledit de Vervins.

Ledit Pierre Mercier dist que s'etant laquaiz dudit Sieur de Rieux, porta lettres du camp de Monstereul de son maistre audit de Vervins dedans Boulogne et ung panier de prunes descarlattes que ledit Bailly de Guynes luy valla et néantmoins trouva avec ledit de Vervins audit château ledit Bailly qui sy estoit trouvé plustost que luy.

F. 11 v°. (vi. v°.) Pierre Mercier a veu ledit Bailly de Guynes au château de Boulogne durant le siége.

Ledit Bailly et Mercier ont veu le Mareschal du Diez en la tente du Comte de Bures ou il coucha une nuit, parla audit Comte et au Sieur de Rieux et y estoit arrivé un cappitaine, son secrétaire, et souvent leur envoyoit lettres par une grande femme que les bourguignons appellerent par mespris la grande femme dudit mareschal. L'ung ascavoir le Bailly de Guynes parle des propos qu'il tenoit en ladite tente.

Aulcungs aussi disent avoir veu ledit de Vervins ayant un manteau et ung cheval grison, toutesfois n'en sont certains.

Du Vendredy iᵉʳ jour de Mars:

Murmures des parlemens de Vervins et flesches tirées.

A esté arresté qu'il est veriffié par confessions d'aulcune des parties et tesmoings que les Capitaines, hommes d'armes, souldards et habitans de Boulogne murmuroient desdits parlemens et flesches tireez du camp des anglois dedans Boulogne et de Boulogne au camp.

Tesmoings qui parlent desdites flesches tireez d'une part et d'autre ayant escriteaulx depuis le parlement entre ledit Bailly et Pipement et Canlers fait le xxix Août et du cry que Vervins fit

faire de luy porter les flesches qui seroient tireez dans la ville ayant escriteaulx soubs peine de la hart.

Ledit Caron Prevost	Led. Lallier
Pierre Abachelette	Led. Moreau
Led. Brolyn	Led. Leheu
Led. de Pont	Led. La . . .
Led. Givry	Led. Chyvot
Led. Blondel	Led. Lotin
Led. de Pely	Led. Rougegraiz.

A esté arresté et verifié qu'il est prouvé par tesmoings que ledit Bailly de Guynes . . .

Folio vii *verso* illegible.

B.

Deposition taken Tuesday, March 19.

La tour d'ordre rendue par Grand Jehan Charpentier sans endurer le canon. F. xii. v°.

Faits arrestez que paravant la composition comme le lundi, mardi, mercredi les anglois venoient en la muraille et se vantoient qu'ilz entreroient le dimanche dedans la ville et disoient ces mots: 'couppe gorge sabmedi frencheman'; que la tour d'ordre fust rendue par ung nommé Grand Jehan Charpentier que ledit Vervins y avoit mis chef sans endurer le canon et ouvrit la porte aux anglois contre le vouloir des souldards tous lesquelz furent menez prisonniers au camp le sabmedy et dès le sabmedy racheptez à la poursuite de Vervins et ramenez à la ville de Boulogne; qu'il alla à devant eux et pour les avoir envoy à Canlez et Pipemont dever lesdits anglois combien que les capitaines étoient d'advis qu'on les fit pendre, mesme ledit Grand Jehan, ce néantmoins ledit Vervins le fit mettre en prison et faire son procez et depuis ledit Grand Jehan a été eslargi de l'ordonnance dudit Vervins, fault interroger ledit Vervins sur l'état de la tour, car aulcuns desdits souldards dyent par leur procès que par le haut étoit ouverte et n'eust peu endurer le canon, et aussi sur le nombre des pouldres qu'il leur donna, aulcungs parlant de lx livres de pouldres et les aultres de lxxii livres, encore du nombre des gens qu'il y mit et qui paya leur rançon et de quels deniers.

Ledit Grand Jehan et ses compagnons prins et racheptez incontinent à la poursuitte de Vervins.

Ledit Grand Jehan mis hors de procès contre l'advis des capitaines qui le vouloient faire pendre.

C.

THE TRAITOR OF HIGH LINEAGE.

Du Vendredi xxii Mars:

Thomas, anglois qui mettoit ses lettres et

Le Mareschal du Biez confesse que ung anglois nommé Thomas demeurant à Guynes fut prins et le renvoya pour lui servir d'espie faignant de lui bailler delay de deux mois pour payer sa rançon et

advertissemens au pertuis d'une pièce près Marquise.

fut accordé par ledit anglois et Colin Caron Charpentier que ledit anglois mestroit ses lettres et advertissements au pertuis d'une pièce séant près Marquise et que ledit anglois y trouveroit de l'argent et que ainsi lui rapporta ledit Caron avoir été advisé entre luy et ledit anglois.

Mareschal du Biez adverti par ledit anglois que a l'entour de sa personne y avoit ung traistre de grosse parenté.

Confesse le Mareschal que à son retour de Cambray le sieur de Boncourt qu'il avoit laissé à Boulogne et homme d'armes de Sabende qui avoit charge d'aller prendre lesdites lettres, luy donna une lettre dudit anglois trouvée audit pertuis pendant le siége de Cambray et qu'il la fit traduire en françois par ledit Caron et que ladite lettre parloit qu'il y avoit à l'entour de la personne dudit Mareschal ung personnaige de grosse parenté qu'on n'osoit nommer, qui estoit traistre au Roy et que bientôt le pays le mauldiroit. Sur qu'oy eut grand soupeçon contre Vervins et Boncourt toutesfois considérant que Vervins avoit en France . . .

D.

THE MAYOR OF BOULOGNE.

Du Mercredy xxvii Mars:

Refus par le Mayeur Sénéchal.

Le Mayeur de Boulogne ne voulut signer l'escript de la composition faite par lesdits Capitaines et les anglois ni pareillement le sénéchal de Ponthieu combien qu'ilz en ayent été requis et ledit escript à eulx présenté.

Propos de Vervins au Mayeur quil rencontre en venant de la maison du Sénéchal de Ponthieu après le traitre des capitain touchant le château de Boulogne.

Après que l'assemblée fut tenue en la maison dudit Sénéchal par ledit de Vervins et autres cappitaines sur la reddition de la ville ledit Vervins retournant en son logis rencontra ledit Mayeur auquel il demanda d'où il venoit et lui a dit qu'il venoit du château, sur quoy ledit Vervins lui dit que c'estoit une meschante place et qu'elle pourroit bien être cause de les faire parlementer, à quoy ledit Mayeur auroit dit ces motz: 'Comment, Monsieur, parlementer? Plustot mourir! Nous sommes plus fortz que jamais.' Et y a un tesmoing seulement qui étoit présent et un autre que ledit Mayeur lui en fit le récit incontinent. Lors de la reddition les anglois ne tiroient à beaucoup près si souvent qu'ilz avoient accoustumez et ne tiroient que des boulletz de plomb ferré, et le bruit estoit qu'ilz avoient faulte de pouldre et munitions et Vervins confesse avoir bien entendu ledit bruit et le disoient les anglois qui estoient prins prisonniers.

Faulte de munition des anglois.

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